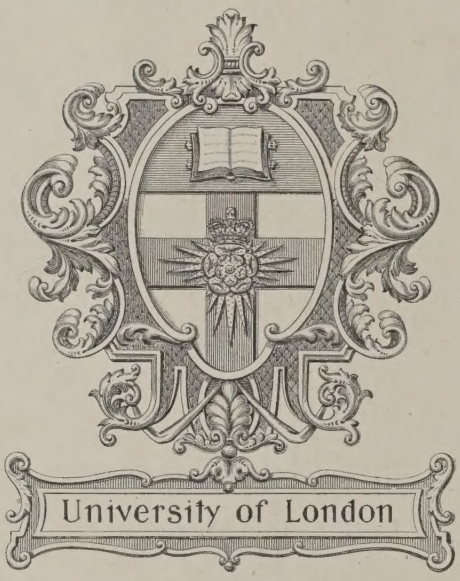
University of London

606249

B I L L S,

PUBLIC:

FOUR VOLUMES.

—*(4.)*—

POOR RELIEF (METROPOLIS)

TO

WOMEN'S DISABILITIES.

Session

8 *February* —— 10 *August* 1870.

VOL. IV.

1870.

B I L L S,

PUBLIC:

FOUR VOLUMES.

—(✓)—

POOR RELIEF (METROPOLIS)

TO

WOMEN'S DISABILITIES.

Session

8 February —— 10 August 1870.

VOL. IV.

1870.

B I L L S:

1870.

FOUR VOLUMES:—CONTENTS OF THE

FOURTH VOLUME.

N. B.—*THE* Figures *at the* beginning of the line, *correspond with the* N° *at the foot of each* Bill; *and the* Figures *at the* end of the line, *refer to the* MS. Paging *of the Volumes arranged for The House of Commons.*

Poor Relief (Metropolis):

36. Bill to provide for the equal distribution over the Metropolis of a further portion of the Charge for the Relief of the Poor - - - - - - - - p. 1

Post Office:

144. Bill for further regulation of Duties of Postage, and for other purposes relating to the Post Office - - - - - - - - - - - - - 5

183. Same [as amended in Committee] - - - - - - - - - - 13

219. Same [as amended in Committee and on Re-commitment] - - - - - 21

Prayer Book (Tables of Lessons) [H. L.]:

230. Bill, intituled, An Act to amend the Law relating to the Tables of Lessons contained in the Prayer Book - - - - - - - - - - - - 29

Processions (Ireland):

170. Bill to amend the Law relating to certain Processions in Ireland - - 49

Protection of Inventions:

157. Bill for the Protection of Inventions exhibited at International Exhibitions in the United Kingdom - - - - - - - - - - - - 53

Provisional Orders Bills (Committees):

19. Bill to empower Committees on Bills confirming Provisional Orders to award Costs and examine Witnesses on Oath - - - - - - - - - - 57

Public Health (Scotland) Supplemental:

136. Bill to confirm Provisional Orders under "The Public Health (Scotland) Act, 1867," relating to the Burghs of Brechin and Fraserburgh - - - 61

Public Prosecutors:

45. Bill to provide for the appointment of Public Prosecutors, and for the more effectual Prosecution of Indictable Offences - - - - - - - - 69

148. Same [as amended by the Select Committee] - - - - - - - 81

Public Schools Act (1868) Amendment:

200. Bill to amend the Public Schools Act, 1868 - - - - - - - 95

Queen Anne's Bounty (Superannuation):

114. Bill to enable the Governors of Queen Anne's Bounty to provide Superannuation Allowances for their Officers - - - - - - - - - 99

Railway Construction Facilities Act (1864) Amendment:

18. Bill for the Amendment of "The Railway Construction Facilities Act, 1864," p. 105

Railways (Powers and Construction):

76. Bill to amend "The Railway Companies' Powers Act, 1864," and "The Railway Construction Facilities Act, 1864" - - - - - - - - 109

Railway Travelling:

37. Bill requiring Railway Companies to provide Foot Warmers for Passengers in certain cases - - - - - - - - - - - - - 115

Real Actions Abolition:

242. Bill to abolish certain Real Actions in the Superior Courts of Common Law in Ireland, and further to amend the Procedure in the said Courts; and for other purposes - - - - - - - - - - - - - 119

Real Estate Succession:

81. Bill to amend the Law of Succession to Real Estate - - - - - 123

Registration of Voters:

53. Bill to amend the Laws relating to the Registration of Parliamentary Voters in Counties in England and Wales. - - - - - - - - - 129

Registration of Voters (No. 2):

149. Bill to amend the Laws relating to the Registration of Voters in England and Wales - - - - - - - - - - - - - - 133

Rents and Periodical Payments:

169. Bill for the better Apportionment of Rents and other periodical Payments - 165

Representation of the People Acts Amendment:

28. Bill to repeal the Minority Clauses of the Representation of the People Act, 1867, and the Representation of the People (Scotland) Act, 1868 - - 169

Saint Olave, &c., Charities:

152. Bill for confirming a Scheme of the Charity Commissioners for certain Charities in the Parishes of Saint Olave and Saint John, in the Borough of Southwark 173

Sale of Liquors:

112. Bill to enable Owners and Occupiers of Property in certain Districts to prevent the common Sale of Intoxicating Liquors within such Districts - - - 185

Sale of Liquors on Sunday:

57. Bill to extend to the whole of Sunday the present Restrictions on the sale of Beer and other Fermented or Distilled Liquors - - - - - - - 191

Sale of Poisons, &c. (Ireland):

122. Bill to regulate the Sale of Poisons in Ireland, and to alter and amend an Act passed by the Parliament of Ireland in the Thirty-third year of the reign of His Majesty King George the Third, chapter thirty-four, intituled, "An Act for more effectually Preserving the Health of His Majesty's Subjects, for creating an Apothecaries Hall in the City of Dublin, and regulating the Profession of an Apothecary throughout the Kingdom of Ireland [*not printed*] - - 195

Sale of Poisons (Ireland):

140. Bill to regulate the Sale of Poisons in Ireland - - - - - - 197

Salmon Acts Amendment:

163. Bill to amend the Acts relating to the Export of unseasonable Salmon - 201

Sanitary Act (1866) Amendment:

189. Bill to amend the twenty-sixth section of "The Sanitary Act, 1866," relating to the removal of Persons sick of Infectious Disorders and without proper Lodging - - - - - - - - - - - - - - 205

Sanitary Act (Dublin) Amendment:

254. Bill to amend the Sanitary Act, 1866, so far as relates to the City of Dublin, p. 209

Savings Banks:

15. Bill to amend the Law relating to Savings Banks - - - - - 213

Sequestration [H. L.]:

202. Bill, intituled, An Act to abolish Sequestrations for Debt - - - - 217

Settled Estates:

110. Bill to enable the Owners of Settled Estates in England and Ireland to charge such Estates, within certain limits, with the Expense of building Mansions as Residences for themselves - - - - - - - - - - 221

Sewage Utilization Supplemental:

201. Bill to confirm a Provisional Order under "The Sewage Utilization Acts," relating to the District of East Barnet - - - - - - - - - 225

Shannon Navigation:

192. Bill to amend and enlarge the powers of the Acts relating to the Navigation of the River Shannon; and for other purposes relating thereto - - - 229

240. Same [as amended by the Select Committee] - - - - - - 237

Sheriffs (Scotland) Act (1853) Amendment, &c.:

191. Bill to amend and extend the Act sixteenth and seventeenth Victoria, chapter ninety-two, to make further provision for uniting Counties in Scotland in so far as regards the jurisdiction of the Sheriff; and also to make certain provisions regarding the Duties of Sheriffs and Sheriffs Substitute in Scotland - 245

Shipping Dues Exemption Act (1867) Amendment:

194. Bill to amend "The Shipping Dues Exemption Act, 1867" - - - 251

Siam and Straits Settlements Jurisdiction [H. L.]:

232. Bill, intituled, An Act to vest Jurisdiction in matters arising within the Dominions of the Kings of Siam in the Supreme Court of the Straits Settlements - 255

Sites for Places of Worship:

10. Bill to facilitate the purchase and taking of Sites for Places of Worship and Schools - - - - - - - - - - - - - 259

Sligo and Cashel Disfranchisement:

139. Bill to Disfranchise the Boroughs of Sligo and Cashel - - - - 265

Stamp Duties:

135. Bill for granting certain Stamp Duties in lieu of Duties of the same kind now payable under various Acts, and consolidating and amending Provisions relating thereto - - - - - - - - - - - - - 269

209. Same [as amended in Committee] - - - - - - - - 353

256. Same [as amended in Committee on Re-commitment] - - - - 437

Stamp Duties Management:

220. Bill for consolidating and amending the Law relating to the management of Stamp Duties - - - - - - - - - - - - 521

Stamp Duty on Deeds:

89. Bill to remove doubts as to the construction of a portion of the sixteenth section of the Act of the seventeenth and eighteenth Victoria, chapter eighty-three, relating to Stamp Duties - - - - - - - - - 535

Stamp Duty on Leases:

59. Bill to relieve the holders of certain Leases from a Stamp Duty chargeable thereon by law, and to reduce the Stamp Duty on certain other Leases of the same description - - - - - - - - - - - - - p. 539

161. Same [as amended in Committee] - - - - - - - - - 543

Steam Boilers Inspection:

58. Bill to provide for the periodical Inspection of Steam Boilers [*not printed*] - 547

Statute Law Revision:

215. Bill for further promoting the Revision of the Statute Law by repealing certain Enactments that have ceased to be in force, or are consolidated by certain Acts of the present Session - - - - - - - - - - 549

Statute Law Revision (Ireland):

264. Bill for promoting the Revision of the Statute Law by repealing certain Enactments which have ceased to be in force or have become unnecessary in Ireland [*not printed*] - - - - - - - - - - - - - 567

Suburban Commons:

41. Bill to provide for the Improvement, Protection, and Management of Commons and Waste Lands near Cities and Towns in England - - - - - 569

Sugar Duties (Isle of Man):

203. Bill to alter certain Duties of Customs upon Refined Sugar in the Isle of Man - - - - - - - - - - - - - - 577

Summary Convictions:

50. Bill to amend the Law relating to First Convictions for certain Offences - 581

Sunday Trading:

68. Bill, intituled, An Act to amend the Law relating to Selling and Hawking and Delivering Goods on the Lord's Day, commonly called Sunday - - 585

Survey of Great Britain, &c.:

90. Bill to amend the Law relating to the Surveys of Great Britain, Ireland, and the Isle of Man - - - - - - - - - - - - - 589

Tramways:

54. Bill to facilitate the construction and to regulate the working of Tramways - 593

113. Same [as amended by the Select Committee] - - - - - - - 621

239. Same [with the Amendments made by the Lords] - - - - - - 653

Telegraph Acts Extension:

142. Bill to extend the Telegraph Acts of 1868, 1869, to the Channel Islands - 693

196. Same [as amended by the Select Committee] - - - - - - - 697

Truck Commission:

252. Bill for appointing a Commission to inquire into the alleged prevalence of the Truck System, and the disregard of the Acts of Parliament prohibiting such system, and for giving such Commission the powers necessary for conducting such Inquiry - - - - - - - - - - - - - 701

Turnpike Acts Continuance:

125. Bill to continue certain Turnpike Acts in Great Britain, to repeal certain other Turnpike Acts, and to make further Provisions concerning Turnpike Roads, 705

Turnpike Trusts Arrangements:

129. Bill to confirm a certain Provisional Order made under an Act of the fifteenth year of Her present Majesty, to facilitate Arrangements for the Relief of Turnpike Trusts - - - - - - - - - - - - 739

University Tests:

105. Bill to alter the Law respecting Religious Tests in the Universities of Oxford, Cambridge, and Durham, and in the Halls and Colleges of those Universities respectively - - - - - - - - - - - - p. 743

Vaccination Act (1867) Amendment:

126. Bill to amend the Vaccination Act, 1867 - - - - - - - - 751

Valuation of Lands and Assessments (Scotland):

102. Bill to amend the Acts for the Valuation of Lands and the levying of Assessments in Scotland - - - - - - - - - - - - - 755

179. Same [as amended by the Select Committee] - - - - - - - 759

Vestries (Isle of Man):

198. Bill to repeal an Act, intituled, "An Act to alter the mode of giving Notices for the holding of Vestries, of making Proclamation in cases of Outlawry, and of giving Notices on Sundays in respect to various matters," so far as such Act relates to the Isle of Man - - - - - - - - - - - - - 763

Wages Attachment Abolition:

131. Bill to abolish Attachment of Wages - - - - - - - - - 767

Wages Arrestment Abolition (Scotland):

69. Bill to abolish Wages Arrestment in Scotland - - - - - - - 771

118. Same [as amended in Committee] - - - - - - - - - 775

War Office:

30. Bill for making further provision relating to the Management of certain Departments of the War Office - - - - - - - - - - - 779

Water Supply on Sunday (Metropolis):

94. Bill to make better provision respecting the Supply of Water to the Metropolis on Sundays - - - - - - - - - - - - - 783

Wine and Beerhouse Act (1869) Amendment:

97. Bill to amend and continue "The Wine and Beerhouse Act, 1869" - - - 787

124. Same [as amended in Committee] - - - - - - - - - 793

Women's Disabilities:

31. Bill to remove the Electoral Disabilities of Women - - - - - - 799

A

B I L L

TO

Provide for the equal distribution over the Metropolis of a further portion of the charge for the Relief of the Poor. A.D. 1870.

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Maintenance of in-door poor to be a charge upon the Metropolitan Common Poor Fund.

1. From and after the *twenty-ninth day of September one thousand eight hundred and seventy* the provisions of the sixty-ninth section of the Metropolitan Poor Act, 1867, directing the repayment of the expenses incurred for the maintenance of lunatics and insane poor, and of patients in any asylum specially provided under that Act for patients suffering from fever and small pox, shall extend to the expenses incurred for the maintenance of paupers in any other asylum now or hereafter to be provided under the said Act, and to the maintenance of paupers above the age of sixteen years in any workhouse in the Metropolis, and the Poor Law Board shall, by its precept under seal, direct the Receiver of the Common Poor Fund to repay such expenses out of that fund, in the same manner as the expenses specified in that section, subject, nevertheless, to the following provisions:—

(1.) The Poor Law Board shall certify the maximum number of paupers to be maintained in any workhouse or asylum.

(2.) No repayment shall be made in respect of a greater number of paupers maintained in any asylum on any one day than will complete the maximum number which such asylum shall have been certified to hold as aforesaid, nor in respect of a greater number of paupers maintained in any workhouse on any one day than will, together with the children under the age of sixteen, if any, maintained therein on the same day, complete the maximum number certified for such workhouse.

(3.) The amount so repaid in respect of such maintenance shall be at the rate of *sixpence* per day for each pauper in such workhouse or asylum.

(4.) If the guardians of any union or parish, or the managers of any asylum, shall, during any half year ending at Lady Day or Michaelmas respectively, have refused or neglected to comply

A.D. 1870.

with any Order of the Poor Law Board, issued under the Poor Law Acts, directing the alteration or enlargement of the workhouse, the provision of proper drainage, sewers, ventilation, fixtures, furniture, surgical and medical appliances, or directing the appointment of any officer, or prescribing the maximum number of paupers to be maintained in any workhouse or asylum, or the classification of such paupers, such guardians or managers shall be deemed to be in default, and the Poor Law Board may, if they think fit, omit from their precept for such half year, addressed to the Receiver of the Common Poor Fund, the sums which such guardians or the guardians of the unions and parishes comprised in the district to which the asylum belongs, would have been entitled to be repaid under this Act if there had been no such default: Provided that if such guardians or managers shall comply with such Order before the termination of the next ensuing half year, it shall be lawful for the Poor Law Board to include in their precept for that half year the sums so omitted from their precept for the previous half year.

The Poor Law Board may after three years alter the rate.

2. At any time not earlier than *three* years from the passing of this Act, or the issuing of any General Order under this section, the Poor Law Board may from time to time, if they shall deem it necessary, by a General Order addressed to the guardians of all the unions and parishes in the metropolis, fix a greater or smaller sum than *sixpence* a day to be repaid for every such pauper as aforesaid, but no Order under this section shall take effect until it shall have been laid before both Houses of Parliament for the space of six weeks.

The maintenance of officers to be allowed as part of their salaries.

3. The term "salaries of officers," referred to in the said sixty-ninth section of the said Metropolitan Poor Act, shall include the cost of the maintenance of the officers therein described, according to a scale to be fixed by the Poor Law Board.

Construction and title of the Act.

4. This Act shall be construed in like manner as the Metropolitan Poor Act of 1867, and shall be termed the Metropolitan Poor Amendment Act, 1870.

Poor Relief (Metropolis).

A

BILL

To provide for the equal distribution over the Metropolis of a further portion of the charge for the Relief of the Poor.

(*Prepared and brought in by Mr. Goschen and Mr. Arthur Peel.*)

Ordered, by The House of Commons, *to be Printed,* 18 *February* 1870.

[Bill 36.]

Under 1 *oz.*

A

B I L L

FOR

Further regulation of Duties of Postage, and for other purposes relating to the Post Office. A.D. 1870.

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited as The Post Office Act, 1870.

Interpretation.

2. In this Act—

"The Treasury" means the Commissioners of Her Majesty's Treasury or two of them:

"Treasury warrant" means a warrant under the hands of the Treasury:

"The Postmaster General" means Her Majesty's Postmaster General:

"Post Office regulations" means regulations made by the Postmaster General.

Channel Islands and Isle of Man.

3. For the purposes of this Act, the Channel Islands and the Isle of Man shall be deemed parts of the United Kingdom.

Repeal and limitation of enactments.

4. The enactments described in the first schedule to this Act shall, from and immediately after the *thirtieth day of September one thousand eight hundred and seventy*, be repealed; but that repeal shall not affect the past operation of any of those enactments, or the force or operation of any Treasury warrant or Post Office regulations made, or the validity or invalidity of anything done or suffered, or any right, title, obligation, or liability accrued, before that repeal takes effect; nor shall this Act interfere with the prosecution or institution of any proceeding in respect of any right, title, obligation, or liability accrued under, or any offence committed against, or any penalty or forfeiture incurred under, any of those enactments before that repeal takes effect; and section four of the Act first described in the first schedule to this Act shall

A.D. 1870.

not be deemed to contain or affect the definition of a newspaper for the purposes of this Act or of any other enactment regulating the sending of newspapers by post.

Allowance for newspaper stamps on hand.

5. Where any person is possessed of any newspaper stamps made useless by this Act, the Commissioners of Inland Revenue, on application within *six months* after the *thirtieth day of September one thousand eight hundred and seventy*, may cancel and make allowance for the same as in case of spoiled stamps.

Certain publications to be deemed newspapers.

6. Any publication coming within the following description shall for the purposes of this Act be deemed a newspaper (that is to say) any publication consisting wholly or in great part of political or other news, or of articles relating thereto, or to other current topics, with or without advertisements; subject to these conditions—

That it be printed and published in the United Kingdom;

That it be published in numbers at intervals of not more than *seven* days;

That it be printed on a sheet or sheets unstitched;

That it have the title and date of publication printed at the top of every page.

And the following shall, for the purposes of this Act, be deemed a supplement to a newspaper (that is to say) a publication consisting wholly or in great part of matter like that of a newspaper, or of advertisements, printed on a sheet or sheets or a piece or pieces of paper, unstitched, with a leaf or leaves of the same form and size as the leaf or leaves of the newspaper to which it is a supplement, and published with the newspaper, and having the title and date of publication of the newspaper printed at the top of every page.

Registration of newspapers at Post Office.

7. The proprietor or printer of any newspaper within the description aforesaid may register it at the General Post Office in London, at such time in each year and in such form and with such particulars as the Postmaster General from time to time directs, paying on each registration such fee not exceeding *five shillings* as the Postmaster General, with the approval of the Treasury, from time to time directs.

The Postmaster General may from time to time revise the register, and remove therefrom any publication not being a newspaper.

The decision of the Postmaster General on the admission to or removal from the register of a publication, shall be final, save that the Treasury may, if they think fit, on the application of any person interested, reverse or modify the decision, and order accordingly.

Any publication for the time being on the register shall for the purposes of this Act be deemed a registered newspaper.

A.D. 1870.

Postage on newspapers, book and pattern or sample packets and cards.

8. From and after the *thirtieth day of September one thousand eight hundred and seventy*, registered newspapers, book packets, pattern or sample packets, and post cards, may be sent by post in the United Kingdom, at the following rates of postage:—

On a registered newspaper, not exceeding with any supplement, and with any cover, *six ounces* in weight - - - - - - *One halfpenny.*

On a book packet or pattern or sample packet:—

If not exceeding *two ounces* in weight - *One halfpenny.*

If exceeding *two ounces* in weight, for every additional *two ounces* or fractional part of *two ounces* - *One halfpenny.*

On a post card - - - - - *One halfpenny.*

Post Office regulations.

9. The Postmaster General may from time to time, with the approval of the Treasury, make, in relation respectively to registered newspapers, book packets, pattern or sample packets, and post cards, sent by post, such regulations as he thinks fit, for all or any of the following purposes:—

For prescribing and regulating the times and modes of posting and delivery:

For prescribing prepayment by postage stamps, or allowing prepayment in special cases by money:

For regulating the affixing of postage stamps:

For prescribing and regulating the payment again of postage in case of re-direction:

For regulating dimensions and maximum weight:

For regulating the nature and form of covers:

For prohibiting or restricting the printing or writing of marks or communications or words:

For prohibiting inclosures;

and such other regulations as from time to time seem expedient for the better execution of this Act.

Newspapers under arrangement or convention.

10. A registered newspaper shall be deemed a newspaper for the purposes of any arrangement or convention between Her Majesty's Government and any colonial or foreign government for securing advantages for newspapers sent by post.

Colonial and foreign postage of newspapers and periodical publications.

11. The Treasury may from time to time, by Treasury warrant, allow any newspapers and periodical publications, British, colonial, or foreign, to be sent by post between the United Kingdom and places out of the United Kingdom, or between places out of the United Kingdom, whether through the United Kingdom or not, at such rates of postage, not exceeding *two pence* for each newspaper or publication, irrespectively of any colonial or foreign postage, and

A.D. 1870.

on such conditions, as they think fit, and according to Post Office regulations to be from time to time made in that behalf.

Any Treasury warrant and Post Office regulations made in that behalf before the passing of this Act are hereby confirmed; and the same shall continue in force unless and until altered by Treasury warrant or Post Office regulations (as the case may be).

Colonial and foreign book, &c. post.

12. The Treasury from time to time, by Treasury warrant, may regulate the sending of book packets and pattern or sample packets by post, between the United Kingdom and places out of the United Kingdom, or between places out of the United Kingdom, whether through the United Kingdom or not, and in relation thereto may prescribe rates of postage, weights, and other matters.

Any Treasury warrant and Post Office regulations made in that behalf before the passing of this Act are hereby confirmed; and the same shall continue in force unless and until altered by Treasury warrant or Post Office regulations (as the case may be).

Decision as to newspapers, packets, &c.

13. If a question arises whether any publication, not being a registered newspaper, is a newspaper or a supplement or periodical publication, or whether any packet is a book packet or pattern or sample packet, within this Act or any Treasury warrant or Post Office regulations, the decision thereon of the Postmaster General shall be final, save that the Treasury may, if they think fit, on the application of any person interested, reverse or modify the decision, and order accordingly.

Newspapers, &c. sent not in conformity with Act, &c.

14. If any newspaper, supplement, publication, book packet, or pattern or sample packet, is sent by post otherwise than in conformity with this Act or any Treasury warrant or Post Office regulations, it may be detained in the Post Office; and, after being opened, it shall be either returned to the sender thereof or forwarded to its destination charged with such rate of postage not exceeding the letter rate of postage, or without any additional charge, as the Postmaster General, with the approval of the Treasury, from time to time directs.

Application to book packets, &c. of enactments as to post letters.

15. A book packet, pattern or sample packet, or post card sent by post shall be deemed a post letter, within the Act described in the second schedule to this Act.

Provision for stamps, &c.

16. The Commissioners of Inland Revenue shall from time to time provide proper dies and other implements for denoting by adhesive or embossed or impressed stamps or otherwise the duties of postage payable in the United Kingdom under this Act or any Treasury warrant thereunder.

A.D. 1870.

Those duties shall be deemed stamp duties, and shall be under the management of the Commissioners of Inland Revenue.

So much of the Act secondly described in the first schedule to this Act as relates to stamp duties under that Act shall apply to the stamp duties under this Act.

A newspaper or packet sent by post and the cover thereof (if any) shall be deemed a letter or cover (as the case may be) within section twenty-three of the Act secondly described in the first schedule to this Act; and the duties under this Act shall be deemed to be comprised in the duties in that section referred to.

Prohibition of user of embossed or impressed stamps removed from paper, &c.

17. It shall not be lawful for any person to affix to a letter, newspaper, supplement, publication, packet, or card sent by post or to the cover thereof (if any), by way of prepayment of postage thereon, an embossed or impressed stamp cut out or otherwise separated from the cover or other paper, card, or thing on which such stamp was embossed or impressed, although such stamp has not been before sent by post or used.

If any letter, newspaper, supplement, publication, packet, or card is sent by post with a stamp affixed thereto or to the cover thereof (if any) that has been so cut out or separated, the postage thereof as far as it purports to be prepaid by that stamp shall be deemed to be not prepaid.

Proof of Post Office regulations, &c. 31 & 32 Vict. c. 37.

18. The Documentary Evidence Act, 1868, shall have effect as if the Postmaster General were mentioned in the first column, and any Secretary or Assistant Secretary of the Post Office were mentioned in the second column, of the schedule to that Act; and any approval of the Treasury under this Act shall be deemed an order within that Act.

SCHEDULES.

THE FIRST SCHEDULE.

Enactments repealed.

6 & 7 Will. 4. c. 76. - in part.	An Act to reduce the duties on newspapers, and to amend the laws relating to the duties on newspapers and advertisements } in part; namely,— Sections one to three (both inclusive), sections thirty-four and thirty-five, and the schedule.
3 & 4 Vict. c. 96. - - in part.	An Act for the regulation of the duties of postage - - } in part; namely,— Section forty-two; sections forty-four, forty-five and forty-six, as far as those three sections relate to newspapers; and sections forty-seven to fifty-one (both inclusive).
11 & 12 Vict. c. 117. -	An Act for rendering certain newspapers published in the Channel Islands and the Isle of Man liable to postage.
16 & 17 Vict. c. 63. - in part.	An Act to repeal certain stamp duties, and to grant others in lieu thereof, to give relief with respect to the stamp duties on newspapers and supplements thereto, to repeal the duty on advertisements, and otherwise to amend the laws relating to stamp duties - - - } in part; namely,— Sections three and four.
18 & 19 Vict. c. 27. -	An Act to amend the laws relating to the stamp duties on newspapers, and to provide for the transmission by post of printed periodical publications.

THE SECOND SCHEDULE.

Act referred to.

11 Will. 4. & 1 Vict. c. 36.—An Act for consolidating the laws relative to offences against the Post Office of the United Kingdom, and for regulating the judicial administration of the Post Office laws, and for explaining certain terms and expressions employed in those laws.

Post Office.

A

BILL

For further regulation of Duties of Postage, and for other purposes relating to the Post Office.

(*Prepared and brought in by Mr. Dodson, Mr. Chancellor of the Exchequer, and Mr. Stansfeld.*)

Ordered, by The House of Commons, *to be Printed*, 25 *May* 1870.

[Bill 144.]

Under 1 *oz.*

A

B I L L

[AS AMENDED IN COMMITTEE]

FOR

Further regulation of Duties of Postage, and for other purposes relating to the Post Office. A.D. 1870.

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited as The Post Office Act, 1870.

Interpretation.

2. In this Act—

"The Treasury" means the Commissioners of Her Majesty's Treasury or two of them:

"Treasury warrant" means a warrant under the hands of the Treasury:

"The Postmaster General" means Her Majesty's Postmaster General:

"Post Office regulations" means regulations made by the Postmaster General.

Channel Islands and Isle of Man.

3. For the purposes of this Act, the Channel Islands and the Isle of Man shall be deemed parts of the United Kingdom.

Repeal and limitation of enactments.

4. The enactments described in the first schedule to this Act shall, from and immediately after the thirtieth day of September one thousand eight hundred and seventy, be repealed; but that repeal shall not affect the past operation of any of those enactments, or the force or operation of any Treasury warrant or Post Office regulations made, or the validity or invalidity of anything done or suffered, or any right, title, obligation, or liability accrued, before that repeal takes effect; nor shall this Act interfere with the prosecution or institution of any proceeding in respect of any right, title, obligation, or liability accrued under, or any offence committed against, or any penalty or forfeiture incurred under, any of those enactments before that repeal takes effect; and section four of and schedule (A.) to the Act first described in the first

A.D. 1870.

schedule to this Act, or either of them, shall not be deemed to contain or affect the definition of a newspaper for the purposes of this Act or of any other enactment regulating the sending of newspapers by post.

Allowance for newspaper stamps on hand.

5. Where any person is possessed of any newspaper stamps made useless by this Act, the Commissioners of Inland Revenue, on application within six months after the thirtieth day of September one thousand eight hundred and seventy, may cancel and make allowance for the same as in case of spoiled stamps.

Certain publications to be deemed newspapers.

6. Any publication coming within the following description shall for the purposes of this Act be deemed a newspaper (that is to say) any publication consisting wholly or in great part of political or other news, or of articles relating thereto, or to other current topics, with or without advertisements; subject to these conditions—

That it be printed and published in the United Kingdom;

That it be published in numbers at intervals of not more than seven days;

That it be printed on a sheet or sheets unstitched;

That it have the title and date of publication printed at the top of every page.

And the following shall, for the purposes of this Act, be deemed a supplement to a newspaper (that is to say) a publication consisting wholly or in great part of matter like that of a newspaper, or of advertisements, printed on a sheet or sheets or a piece or pieces of paper, unstitched, or consisting wholly or in part of engravings, prints, or lithographs illustrative of articles in the newspaper; such publication in every case being published with the newspaper, and having the title and date of publication of the newspaper printed at the top of every page, or at the top of every sheet or side on which any such engraving, print, or lithograph appears.

Registration of newspapers at Post Office.

7. The proprietor or printer of any newspaper within the description aforesaid, and the proprietor or printer of any newspaper which, regard being had to the proportion of advertisements to other matter therein, is not within the description aforesaid, but which was stamped as a newspaper before the passing of the Act lastly mentioned in the first schedule to this Act, may register it at the General Post Office in London, at such time in each year and in such form and with such particulars as the Postmaster General from time to time directs, paying on each registration such fee not exceeding five shillings as the Postmaster General, with the approval of the Treasury, from time to time directs.

The Postmaster General may from time to time revise the register and remove therefrom any publication not being a newspaper.

The decision of the Postmaster General on the admission to or removal from the register of a publication, shall be final, save that the Treasury may, if they think fit, on the application of any person interested, reverse or modify the decision, and order accordingly.

Any publication for the time being on the register shall for the purposes of this Act be deemed a registered newspaper.

Postage on newspapers, book and pattern or sample packets and cards.

8. From and after the thirtieth day of September one thousand eight hundred and seventy, registered newspapers, book packets, pattern or sample packets, and post cards, may be sent by post in the United Kingdom, at the following rates of postage:—

On a registered newspaper, not exceeding with any supplement, and with any cover, six ounces in weight - - - - - -	One halfpenny.
On each registered newspaper, in a packet of two or more registered newspapers (such packet not exceeding in weight, with any cover thereof, the rate of six ounces for each newspaper, or for each newspaper and the supplement thereto, if any) - - - - - -	One halfpenny.
On a book packet or pattern or sample packet:—	
If not exceeding two ounces in weight -	One halfpenny.
If exceeding two ounces in weight, for every additional two ounces or fractional part of two ounces - - - -	One halfpenny.
On a post card - - - - -	One halfpenny.

Provided that a packet of two or more registered newspapers shall not in any case be liable to a higher rate of postage than the rate chargeable on a book packet of the same weight.

Post Office regulations.

9. The Postmaster General may from time to time, with the approval of the Treasury, make, in relation respectively to registered newspapers, book packets, pattern or sample packets, and post cards, sent by post, such regulations as he thinks fit, for all or any of the following purposes:—

For prescribing and regulating the times and modes of posting and delivery:

For prescribing prepayment by postage stamps, or allowing prepayment in special cases by money:

For regulating the affixing of postage stamps:

For prescribing and regulating the payment again of postage in case of re-direction:

A.D. 1870.

For regulating dimensions and maximum weight of packets:
For regulating the nature and form of covers:
For prohibiting or restricting the printing or writing of marks or communications or words:
For prohibiting inclosures;
and such other regulations as from time to time seem expedient for the better execution of this Act.

Newspapers under arrangement or convention.

10. A registered newspaper shall be deemed a newspaper for the purposes of any arrangement or convention between Her Majesty's Government and any colonial or foreign government for securing advantages for newspapers sent by post.

Colonial and foreign postage of newspapers and periodical publications.

11. The Treasury may from time to time, by Treasury warrant, allow any newspapers and periodical publications, British, colonial, or foreign, to be sent by post between the United Kingdom and places out of the United Kingdom, or between places out of the United Kingdom, whether through the United Kingdom or not, at such rates of postage, not exceeding two pence for each newspaper or publication, irrespectively of any colonial or foreign postage, and on such conditions, as they think fit, and according to Post Office regulations to be from time to time made in that behalf.

Any Treasury warrant and Post Office regulations made in that behalf before the passing of this Act are hereby confirmed; and the same shall continue in force unless and until altered by Treasury warrant or Post Office regulations (as the case may be).

Colonial and foreign book, &c. post.

12. The Treasury from time to time, by Treasury warrant, may regulate the sending of book packets and pattern or sample packets by post, between the United Kingdom and places out of the United Kingdom, or between places out of the United Kingdom, whether through the United Kingdom or not, and in relation thereto may prescribe rates of postage, weights, and other matters.

Any Treasury warrant and Post Office regulations made in that behalf before the passing of this Act are hereby confirmed; and the same shall continue in force unless and until altered by Treasury warrant or Post Office regulations (as the case may be).

Decision as to newspapers, packets, &c.

13. If a question arises whether any publication, not being a registered newspaper, is a newspaper or a supplement or periodical publication, or whether any packet is a book packet or pattern or sample packet, within this Act or any Treasury warrant or Post Office regulations, the decision thereon of the Postmaster General shall be final, save that the Treasury may, if they think fit, on the application of any person interested, reverse or modify the decision, and order accordingly.

A.D. 1870.

Newspapers, &c. sent not in conformity with Act, &c.

14. If any newspaper, supplement, publication, book packet, or pattern or sample packet, is sent by post otherwise than in conformity with this Act or any Treasury warrant or Post Office regulations, it may be detained in the Post Office; and, after being opened, it shall be either returned to the sender thereof or forwarded to its destination charged with such rate of postage not exceeding the letter rate of postage, or without any additional charge, as the Postmaster General, with the approval of the Treasury, from time to time directs.

Application to book packets, &c. of enactments as to post letters.

15. A book packet, pattern or sample packet, or post card sent by post shall be deemed a post letter, within the Act described in the second schedule to this Act.

Despatch and delivery of newspapers, book packets, &c.

16. Where the despatch or delivery from a post office of letters would be endangered by the immediate despatch or delivery therefrom of newspapers, book packets, pattern or sample packets, and post cards, or any of them, the same or any of them may, subject and according to Post Office regulations, be detained in the Post Office until the despatch or delivery next following that by which they would ordinarily be despatched or delivered.

Provision for stamps, &c.

17. The Commissioners of Inland Revenue shall from time to time provide proper dies and other implements for denoting by adhesive or embossed or impressed stamps or otherwise the duties of postage payable in the United Kingdom under this Act or any Treasury warrant thereunder.

Those duties shall be deemed stamp duties, and shall be under the management of the Commissioners of Inland Revenue.

So much of the Act secondly described in the first schedule to this Act as relates to stamp duties under that Act shall apply to the stamp duties under this Act.

A newspaper or packet sent by post and the cover thereof (if any) shall be deemed a letter or cover (as the case may be) within section twenty-three of the Act secondly described in the first schedule to this Act; and the duties under this Act shall be deemed to be comprised in the duties in that section referred to.

Prohibition of user of embossed or impressed stamps removed from paper, &c.

18. It shall not be lawful for any person to affix to a letter, newspaper, supplement, publication, packet, or card sent by post or to the cover thereof (if any), by way of prepayment of postage thereon, an embossed or impressed stamp cut out or otherwise separated from the cover or other paper, card, or thing on which such stamp was embossed or impressed, although such stamp has not been before sent by post or used.

A.D. 1870.

If any letter, newspaper, supplement, publication, packet, or card is sent by post with a stamp affixed thereto or to the cover thereof (if any) that has been so cut out or separated, the postage thereof as far as it purports to be prepaid by that stamp shall be deemed to be not prepaid.

Proof of Post Office regulations, &c. 31 & 32 Vict. c. 37.

19. The Documentary Evidence Act, 1868, shall have effect as if the Postmaster General were mentioned in the first column, and any Secretary or Assistant Secretary of the Post Office were mentioned in the second column, of the schedule to that Act; and any approval of the Treasury under this Act shall be deemed an order within that Act.

SCHEDULES.

THE FIRST SCHEDULE.

Enactments repealed.

6 & 7 Will. 4. c. 76. in part.	An Act to reduce the duties on newspapers, and to amend the laws relating to the duties on newspapers and advertisements	in part; namely,— Sections one to three (both inclusive), and sections thirty-four and thirty-five.
3 & 4 Vict. c. 96. in part.	An Act for the regulation of the duties of postage	in part; namely,— Section eleven, section forty-two; sections forty-four, forty-five, and forty-six, as far as those three sections relate to newspapers; and sections forty-seven to fifty-one (both inclusive).
11 & 12 Vict. c. 117.	An Act for rendering certain newspapers published in the Channel Islands and the Isle of Man liable to postage.	
16 & 17 Vict. c. 63. in part.	An Act to repeal certain stamp duties, and to grant others in lieu thereof, to give relief with respect to the stamp duties on newspapers and supplements thereto, to repeal the duty on advertisements, and otherwise to amend the laws relating to stamp duties	in part; namely,— Sections three and four.
18 & 19 Vict. c. 27.	An Act to amend the laws relating to the stamp duties on newspapers, and to provide for the transmission by post of printed periodical publications.	

THE SECOND SCHEDULE.

Act referred to.

11 Will. 4. & 1 Vict. c. 36.—An Act for consolidating the laws relative to offences against the Post Office of the United Kingdom, and for regulating the judicial administration of the Post Office laws, and for explaining certain terms and expressions employed in those laws.

Post Office.

A

BILL

[AS AMENDED IN COMMITTEE]

For further regulation of Duties of Postage, and for other purposes relating to the Post Office.

(*Prepared and brought in by Mr. Dodson, Mr. Chancellor of the Exchequer, and Mr. Stansfeld.*)

Ordered, by The House of Commons, *to be Printed*, 27 *June* 1870.

[Bill 183.]

Under 1 *oz.*

A

B I L L

[AS AMENDED IN COMMITTEE AND ON RECOMMITMENT]

FOR

Further regulation of Duties of Postage, and for other purposes relating to the Post Office. A.D. 1870.

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited as The Post Office Act, 1870.

Interpretation.

2. In this Act—

"The Treasury" means the Commissioners of Her Majesty's Treasury or two of them:

"Treasury warrant" means a warrant under the hands of the Treasury:

"The Postmaster General" means Her Majesty's Postmaster General:

"Post Office regulations" means regulations made by the Postmaster General.

Channel Islands and Isle of Man.

3. For the purposes of this Act, the Channel Islands and the Isle of Man shall be deemed parts of the United Kingdom.

Repeal and limitation of enactments.

4. The enactments described in the first schedule to this Act shall, from and immediately after the thirtieth day of September one thousand eight hundred and seventy, be repealed; but that repeal shall not affect the past operation of any of those enactments, or the force or operation of any Treasury warrant or Post Office regulations made, or the validity or invalidity of anything done or suffered, or any right, title, obligation, or liability accrued, before that repeal takes effect; nor shall this Act interfere with the prosecution or institution of any proceeding in respect of any right, title, obligation, or liability accrued under, or any offence committed against, or any penalty or forfeiture incurred under, any of those enactments before that repeal takes effect; and section four of and schedule (A.) to the Act first described in the first

A.D. 1870.

schedule to this Act, or either of them, shall not be deemed to contain or affect the definition of a newspaper for the purposes of this Act or of any other enactment regulating the sending of newspapers by post.

Allowance for newspaper stamps on hand.

5. Where any person is possessed of any newspaper stamps made useless by this Act, the Commissioners of Inland Revenue, on application within six months after the thirtieth day of September one thousand eight hundred and seventy, may cancel and make allowance for the same as in case of spoiled stamps.

Certain publications to be deemed newspapers.

6. Any publication coming within the following description shall for the purposes of this Act be deemed a newspaper (that is to say) any publication consisting wholly or in great part of political or other news, or of articles relating thereto, or to other current topics, with or without advertisements; subject to these conditions—

That it be printed and published in the United Kingdom;

That it be published in numbers at intervals of not more than seven days;

That it be printed on a sheet or sheets unstitched;

That it have the title and date of publication printed at the top of every page.

And the following shall, for the purposes of this Act, be deemed a supplement to a newspaper (that is to say) a publication consisting wholly or in great part of matter like that of a newspaper, or of advertisements, printed on a sheet or sheets or a piece or pieces of paper, unstitched, or consisting wholly or in part of engravings, prints, or lithographs illustrative of articles in the newspaper; such publication in every case being published with the newspaper, and having the title and date of publication of the newspaper printed at the top of every page, or at the top of every sheet or side on which any such engraving, print, or lithograph appears.

Registration of newspapers at Post Office.

7. The proprietor or printer of any newspaper within the description aforesaid, and the proprietor or printer of any publication which, regard being had to the proportion of advertisements to other matter therein, is not within the description aforesaid, but which was stamped as a newspaper before the passing of the Act lastly mentioned in the first schedule to this Act, may register it at the General Post Office in London, at such time in each year and in such form and with such particulars as the Postmaster General from time to time directs, paying on each registration such fee not exceeding five shillings as the Postmaster General, with the approval of the Treasury, from time to time directs.

The Postmaster General may from time to time revise the register and remove therefrom any publication not being a newspaper.

The decision of the Postmaster General on the admission to or removal from the register of a publication, shall be final, save that the Treasury may, if they think fit, on the application of any person interested, reverse or modify the decision, and order accordingly.

Any publication for the time being on the register shall for the purposes of this Act be deemed a registered newspaper.

Postage on newspapers, book and pattern or sample packets and cards.

8. From and after the thirtieth day of September one thousand eight hundred and seventy, registered newspapers, book packets, pattern or sample packets, and post cards, may be sent by post between places in the United Kingdom, at the following rates of postage:—

On a registered newspaper, with or without supplement or supplements - - - - One halfpenny.

On each registered newspaper in a packet of two or more, with or without a supplement or supplements - - - - - One halfpenny.

On a book packet or pattern or sample packet:—

If not exceeding two ounces in weight - One halfpenny.

If exceeding two ounces in weight, for the first two ounces and for every additional two ounces or fractional part of two ounces - - - - - One halfpenny.

On a post card - - - - - One halfpenny.

Provided that a packet of two or more registered newspapers with or without a supplement or supplements shall not be liable under this section to a higher rate of postage than the rate chargeable on a book packet of the same weight.

Post Office regulations.

9. The Postmaster General may from time to time, with the approval of the Treasury, make, in relation respectively to registered newspapers, book packets, pattern or sample packets, and post cards, sent by post, such regulations as he thinks fit, for all or any of the following purposes:—

For prescribing and regulating the times and modes of posting and delivery:

For prescribing prepayment and regulating the mode thereof:

For regulating the affixing of postage stamps:

For prescribing and regulating the payment again of postage in case of re-direction:

For regulating dimensions and maximum weight of packets:

For regulating the nature and form of covers:

A.D. 1870.

For prohibiting or restricting the printing or writing of marks or communications or words:

For prohibiting inclosures;

and such other regulations as from time to time seem expedient for the better execution of this Act.

Saving for parliamentary proceedings.

10. Nothing in this Act or in any Treasury warrant or post office regulations shall repeal or alter any provision of Section 13, 16, or 17 of the Act secondly described in the first schedule to this Act as far as those sections relate to printed votes or proceedings of Parliament addressed to places in the United Kingdom.

Newspapers under arrangement or convention.

11. A registered newspaper shall be deemed a newspaper for the purposes of any arrangement or convention between Her Majesty's Government and any colonial or foreign government for securing advantages for newspapers sent by post.

Colonial and foreign postage of newspapers.

12. The Treasury may from time to time, by Treasury warrant, allow any newspapers, British, colonial, or foreign, to be sent by post between the United Kingdom and places out of the United Kingdom, or between places out of the United Kingdom, whether through the United Kingdom or not, at such rates of postage, not exceeding three pence for each newspaper irrespectively of any colonial or foreign postage, and on such conditions, as they think fit, and according to Post Office regulations to be from time to time made in that behalf.

Any Treasury warrant and Post Office regulations made in that behalf before the passing of this Act are hereby confirmed; and the same shall continue in force unless and until altered by Treasury warrant or Post Office regulations (as the case may be).

Colonial and foreign book, &c. post.

13. The Treasury from time to time, by Treasury warrant, may regulate the sending of book packets and pattern or sample packets by post, between the United Kingdom and places out of the United Kingdom, or between places out of the United Kingdom, whether through the United Kingdom or not, and in relation thereto may prescribe rates of postage, weights, and other matters.

Any Treasury warrant and Post Office regulations made in that behalf before the passing of this Act are hereby confirmed; and the same shall continue in force unless and until altered by Treasury warrant or Post Office regulations (as the case may be).

Decision as to newspapers, packets, &c.

14. If a question arises whether any publication, not being a registered newspaper, is a newspaper or a supplement, or whether any packet is a book packet or pattern or sample packet, within this Act or any Treasury warrant or Post Office regulations, the

decision thereon of the Postmaster General shall be final, save that the Treasury may, if they think fit, on the application of any person interested, reverse or modify the decision, and order accordingly.

Newspapers, &c. sent not in conformity with Act, &c.

15. If any registered or other newspaper, supplement, publication, book packet, pattern or sample packet, or post card, is sent by post otherwise than in conformity with this Act or any Treasury warrant or Post Office regulations, it shall be either returned to the sender thereof or forwarded to its destination in either case charged with such rate of postage not exceeding the letter rate of postage, or without any additional charge, as the Postmaster General, with the approval of the Treasury, from time to time directs, having been, if necessary, detained and opened in the Post Office.

Application to book packets, &c. of enactments as to post letters.

16. A book packet, pattern or sample packet, or post card sent by post shall be deemed a post letter, within the Act described in the second schedule to this Act.

Despatch and delivery of newspapers, book packets, &c.

17. Where the despatch or delivery from a post office of letters would be delayed by the despatch or delivery therefrom at the same time of newspapers, book packets, pattern or sample packets, and post cards, or any of them, the same or any of them may, subject and according to Post Office regulations, be detained in the Post Office until the despatch or delivery next following that by which they would ordinarily be despatched or delivered.

Provision for stamps, &c.

18. The Commissioners of Inland Revenue shall from time to time provide proper dies and other implements for denoting by adhesive or embossed or impressed stamps or otherwise the duties of postage payable in the United Kingdom under this Act or any Treasury warrant thereunder.

Those duties shall be deemed stamp duties, and shall be under the management of the Commissioners of Inland Revenue.

So much of the Act secondly described in the first schedule to this Act as relates to stamp duties under that Act shall apply to the stamp duties under this Act.

A newspaper or packet sent by post and the cover thereof (if any) shall be deemed a letter or cover (as the case may be) within section twenty-three of the Act secondly described in the first schedule to this Act; and a post card shall be deemed a letter within that section, and the duties under this Act shall be deemed to be comprised in the duties in that section referred to.

Prohibition of user of embossed or impressed

19. It shall not be lawful for any person to affix to a letter, newspaper, supplement, publication, packet, or card sent by post or to the cover thereof (if any), by way of prepayment of postage

A.D. 1870.

stamps removed from paper, &c.

thereon, an embossed or impressed stamp cut out or otherwise separated from the cover or other paper, card, or thing on which such stamp was embossed or impressed, although such stamp has not been before sent by post or used.

If any letter, newspaper, supplement, publication, packet, or card is sent by post with a stamp affixed thereto or to the cover thereof (if any) that has been so cut out or separated, the postage thereof as far as it purports to be prepaid by that stamp shall be deemed to be not prepaid.

Prohibition of sending indecent articles, &c., by post.

20. The Postmaster General may from time to time with the approval of the Treasury make such regulations as he thinks fit for preventing the sending or delivery by post of indecent or obscene prints, paintings, photographs, lithographs, engravings, books, or cards, or of other indecent or obscene articles, or of letters, newspapers, supplements, publications, packets, or post cards, having thereon, or on the covers thereof, any words, marks, or designs, of an indecent, obscene, libellous, or grossly offensive character.

Proof of Post Office regulations, &c. 31 & 32 Vict. c. 37.

21. The Documentary Evidence Act, 1868, shall have effect as if the Postmaster General were mentioned in the first column, and any Secretary or Assistant Secretary of the Post Office were mentioned in the second column, of the schedule to that Act; and any approval of the Treasury under this Act shall be deemed an order within that Act.

SCHEDULES.

THE FIRST SCHEDULE.

Enactments repealed.

6 & 7 Will. 4. c. 76. - - in part.	An Act to reduce the duties on newspapers, and to amend the laws relating to the duties on newspapers and advertisements	in part; namely,— Sections one to three (both inclusive), and sections thirty-four and thirty-five.
3 & 4 Vict. c. 96. - - in part.	An Act for the regulation of the duties of postage - -	in part; namely,— Section eleven; sections thirteen, sixteen, and seventeen, as far as those three sections relate to printed votes or proceedings of Parliament, addressed to places out of the United Kingdom, or to newspapers; section forty-two; sections forty-four, forty-five, and forty-six, as far as those three sections relate to newspapers; and sections forty-seven to fifty-one (both inclusive).
11 & 12 Vict. c. 117. -	An Act for rendering certain newspapers published in the Channel Islands and the Isle of Man liable to postage.	
16 & 17 Vict. c. 63. - in part.	An Act to repeal certain stamp duties, and to grant others in lieu thereof, to give relief with respect to the stamp duties on newspapers and supplements thereto, to repeal the duty on advertisements, and otherwise to amend the laws relating to stamp duties - - -	in part; namely,— Sections three and four.
18 & 19 Vict. c. 27. -	An Act to amend the laws relating to the stamp duties on newspapers, and to provide for the transmission by post of printed periodical publications.	

THE SECOND SCHEDULE.

Act referred to.

7 Will. 4. & 1 Vict. c. 36.—An Act for consolidating the laws relative to offences against the Post Office of the United Kingdom, and for regulating the judicial administration of the Post Office laws, and for explaining certain terms and expressions employed in those laws.

Post Office.

A

BILL

[AS AMENDED IN COMMITTEE AND ON RECOMMITMENT]

For further regulation of Duties of Postage, and for other purposes relating to the Post Office.

(Prepared and brought in by Mr. Dodson, Mr. Chancellor of the Exchequer, and Mr. Stansfeld.)

Ordered, by The House of Commons, *to be Printed*, 14 *July* 1870.

[Bill 219.]

Under 1 *oz.*

A

B I L L

INTITULED

An Act to amend the law relating to the Tables of Lessons contained in the Prayer Book. A.D. 1870.

WHEREAS Commissioners were appointed by Her Majesty to inquire and consider (amongst other matters) the Proper Lessons appointed to be read in morning and evening prayer on the Sundays and Holy-days throughout the year, and the Table of First and Second Lessons contained in the Calendar in the Book of Common Prayer according to the use of the United Church of England and Ireland, with a view of suggesting and reporting whether any and what alterations and amendments might be advantageously made in the selection of Lessons to be read at the time of divine service:

And whereas the said Commissioners have made a report recommending that the revised Tables of Lessons proper to be read on Sundays and Holy-days, and the revised Table of daily First and Second Lessons set out in the Schedule to that Report and in the Schedule to this Act, should be adopted in lieu of the Table of Proper Lessons to be read at morning and evening prayer on the Sundays and other Holy-days throughout the year, and the Table of daily First and Second Lessons in the Calendar prefixed to the said Book of Common Prayer, and such revised Tables of Lessons have been considered and approved of by the Convocation of the province of Canterbury and by a committee of the Convocation of York:

And whereas it is expedient to authorise the use of the said revised Tables of Lessons, and to make such consequential alterations as may be necessary in the directions contained in the said Book of Common Prayer respecting "the order how the rest of Holy Scripture is appointed to be read":

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

A.D. 1870.

Short title.

1. This Act may be cited as "The Prayer Book (Tables of Lessons) Act, 1870."

Substitution of Tables of Lessons in schedule for old tables.

2. After the first day of January one thousand eight hundred and seventy-one, the directions respecting "the order how the rest "of Holy Scripture is appointed to be read," the Table of Proper Lessons and the Table of daily First and Second Lessons contained in the second part of the schedule to this Act shall be substituted for the following parts of the Book of Common Prayer of the Church of England respectively; that is to say,

(1.) The said directions for the directions respecting "the order "how the rest of Holy Scripture is appointed to be read," set out in the first part of the same schedule;

(2.) The said Table of Proper Lessons for the Table of "Proper "Lessons to be read at morning and evening prayer on the "Sundays and other Holy-days throughout the year;"

(3.) The said Table of daily First and Second Lessons for the corresponding portion of the Table of daily First and Second Lessons contained in the "Calendar with the Table "of Lessons;"

and all Acts relating to the Book of Common Prayer of the Church of England, shall be construed to refer to such Book as altered by this Act, and after the first day of October one thousand eight hundred and seventy the directions and Tables of Lessons contained in the second part of the schedule to this Act shall be printed and published in all editions of the said Book of Common Prayer and (so far as necessary) of the said Acts in lieu of the directions and Tables of Lessons for which they are by this Act substituted.

No suit for offence prior to 1st Jan. 1872.

3. No suit shall be instituted against any clerk for any offence against this Act in following the Table of Lessons hitherto in legal use alleged to be committed prior to the first of January one thousand eight hundred and seventy-two.

SCHEDULE.

FIRST PART.

Existing Directions prefixed to the Prayer Book to be omitted in future.

The Order how the rest of Holy Scripture is appointed to be read.

The Old Testament is appointed for the First Lessons at Morning and Evening Prayer, so as the most part thereof will be read every year once, as in the Calendar is appointed.

The New Testament is appointed for the Second Lessons at Morning and Evening Prayer, and shall be read over orderly every year thrice, besides the Epistles and Gospels, except the Apocalypse, out of which there are only certain Proper Lessons appointed upon divers feasts.

And to know what Lessons shall be read every day, look for the day of the month in the Calendar following, and there ye shall find the chapters that shall be read for the Lessons, both at Morning and Evening Prayer, except only the moveable feasts, which are not in the Calendar, and the immoveable, where there is a blank left in the column of Lessons, the Proper Lessons for all which days are to be found in the Table of Proper Lessons.

And note that whensoever Proper Psalms or Lessons are appointed, then the Psalms and Lessons of ordinary course appointed in the Psalter and Calendar (if they be different) shall be omitted for that time.

Note also that the Collect, Epistle, and Gospel appointed for the Sunday shall serve all the week after where it is not in this Book otherwise ordered.

SECOND PART.

Directions to be prefixed to the Prayer Book in lieu of the Directions in the First Part of this Schedule.

The Order how the rest of Holy Scripture is appointed to be read.

The Old Testament is appointed for the First Lessons at Morning and Evening Prayer, so as the most part thereof will be read every year once, as in the Calendar is appointed.

The New Testament is appointed for the Second Lessons at Morning and Evening Prayer, and shall be read over orderly every year twice, once in the morning and once in the evening, besides the Epistles and Gospels, except the Apocalypse, out of which there are only certain Lessons appointed at the end of the year, and certain proper Lessons appointed upon divers feasts.

And to know what Lessons shall be read every day, look for the day of the month in the Calendar following, and there ye shall find the chapters and portions of chapters that shall be read for the Lessons, both at Morning and Evening Prayer, except only the moveable feasts, which are not in the Calendar, and the immoveable, where there is a blank left in the column of lessons, the Proper Lessons for all which days are to be found in the Table of Proper Lessons.

If Evening Prayer is said at two different times in the same place of worship on any Sunday (except a Sunday for which alternative Second Lessons are specially appointed in the table,) the Second Lesson at the second time may, at the discretion of the minister, be any chapter from the four Gospels, or any lesson appointed in the Table of Lessons from the four Gospels.

Upon occasions, to be approved by the Ordinary, other lessons may, with his consent, be substituted for those which are appointed in the Table of Daily Lessons.

And note that whensoever Proper Psalms or Lessons are appointed, then the Psalms and Lessons of ordinary course appointed in the Psalter and Calendar (if they be different) shall be omitted for that time.

A.D. 1870.

If any of the Holy-days for which Proper Lessons are appointed in the table fall upon a Sunday which is the first Sunday in Advent, Easter Day, Whitsunday, or Trinity Sunday, the Lessons appointed for such Sunday shall be read, but if it fall upon any other Sunday, the Lessons appointed either for the Sunday or for the Holy-day may be read at the discretion of the minister.

Note also that the Collect, Epistle, and Gospel appointed for the Sunday shall serve all the week after, where it is not in this book otherwise ordered.

Table of Proper Lessons to be inserted in lieu of existing Table of Proper Lessons.

PROPER LESSONS

TO BE READ AT MORNING AND EVENING PRAYER ON THE SUNDAYS AND OTHER HOLY-DAYS THROUGHOUT THE YEAR.

LESSONS PROPER FOR SUNDAYS.

	Mattins.		Evensong.			
Sundays of Advent.						
The First	Isaiah	i.	Isaiah	ii.	or Isaiah	iv. *v.* 2
Second	—	v.	—	xi. to *v.* 11	„ —	xxiv.
Third	—	xxv.	—	xxvi.	„ — xxviii. *v.* 5 to *v.* 19	
Fourth	—	xxx. to *v.* 27	—	xxxii.	„ — xxxiii. *v.* 2 to *v.* 23	
Sundays after Christmas.						
The First	—	xxxv.	—	xxxviii.	„ —	xl.
Second	—	xlii.	—	xliii.	„ —	xliv.
Sundays after the Epiphany.						
The First	—	li.	—	lii. *v.* 13 & liii.	„ —	liv.
Second	—	lv.	—	lvii.	„ —	lxi.
Third	—	lxii.	—	lxv.	„ —	lxvi.
Fourth	Job	xxvii.	Job	xxviii.	„ Job	xxix.
Fifth	Proverbs	i.	Proverbs	iii.	„ Proverbs	viii.
Sixth	—	ix.	—	xi.	„ —	xv.
Septuagesima.						
First Lesson	Gen.	i. & ii. to *v.* 4	Genesis	ii. *v.* 4	„ Job	xxxviii.
Second Lesson	Rev.	xxi. to *v.* 9	Rev. xxi. *v.* 9 to xxii. *v.* 6.			
Sexagesima.						
First Lesson	Gen.	iii.	Genesis	vi.	„ Genesis	viii.
Quinquagesima.						
First Lesson	—	ix. to *v.* 20	—	xii.	„ —	xiii.

	Mattins.	Evensong.
Sundays in Lent.		
The First First Lesson	Gen. xix. *v.* 12 to *v.* 30	Genesis xxii. to *v.* 20 or Genesis xxiii.
Second „	— xxvii. to *v.* 41	— xxviii. „ — xxxii.
Third „	— xxxvii.	— xxxix. „ — xl.
Fourth „	— xlii.	— xliii. „ — xlv.
Fifth „	Exodus iii.	Exodus v. „ Exodus vi. to *v.* 14
Sixth First Lesson	— ix.	— x. „ — xi.
Second Lesson	Matt. xxvi.	Luke xix. *v.* 28 „ Luke xx. *v.* 9 to *v.* 21
Easter Day.		
First Lesson	Exodus xii. to *v.* 29	Exodus xii. *v.* 29 „ Exodus xiv.
Second Lesson	Rev. i. *v.* 10 to *v.* 19	John xx. *v.* 11. to *v.* 19 „ Rev. v.
Sundays after Easter.		
The First First Lesson	Num. xvi. to *v.* 36	Num. xvi. *v.* 36 „ Num. xvii. to *v.* 12
Second Lesson	1 Cor. xv. to *v.* 29	John xx. *v.* 24 to *v.* 30
Second First Lesson	Num. xx. to *v.* 14	Num. xx. *v.* 14 to xxi. *v.* 10 „ — xxi. *v.* 10
Third „	— xxii.	— xxiii. „ — xxiv.
Fourth „	Deut. iv. to *v.* 23	Deut. iv. *v.* 23 to *v.* 41 „ Deut. v.
Fifth „	— vi.	— ix. „ — x.
Sunday after Ascension Day.		
First Lesson	— xxx.	— xxxiv. „ Joshua i.
Whitsunday.		
First Lesson	— xvi. to *v.* 18	Isaiah xi. „ Ezekiel xxxvi. *v.* 25
Second Lesson	Rom. viii. to *v.* 18	Gal. v. *v.* 16 „ Acts xviii. *v.* 24 to xix. *v.* 21
Trinity Sunday.		
First Lesson	Isaiah vi. to *v.* 11	Gen. xviii. „ Gen. i. & ii. to *v.* 4
Second Lesson	Rev. i. to *v.* 9	Eph. iv. to *v.* 17 „ Matt. iii.
Sundays after Trinity.		
The First First Lesson	Josh. iii. *v.* 7 to iv. *v.* 15	Josh. v. *v.* 13 to vi. *v.* 21 „ Joshua xxiv.
Second „	Judges iv.	Judges v. „ Judges vi. *v.* 11
Third „	1 Sam. ii. to *v.* 27	1 Sam. iii. „ 1 Sam. iv. to *v.* 19
Fourth „	— xii.	— xiii. „ Ruth i.
Fifth „	— xv. to *v.* 24	— xvi. „ 1 Sam. xvii.
Sixth „	2 Sam. i.	2 Sam. xii. to *v.* 24 „ 2 Sam. xviii.
Seventh „	1 Chron. xxi.	1 Chron. xxii. „ 1 Chron. xxviii. to *v.* 21
Eighth „	— xxix. *v.* 9 to *v.* 29	2 Chron. i. „ 1 Kings iii.
Ninth „	1 Kings x. to *v.* 25	1 Kings xi. to *v.* 15 „ — xi. *v.* 26
Tenth „	— xii.	— xiii. „ — xvii.
Eleventh „	— xviii.	— xix. „ — xxi.
Twelfth „	— xxii. to *v.* 41	2 Kings ii. to *v.* 16 „ 2 Kings iv. *v.* 8 to *v.* 38
Thirteenth „	2 Kings v.	— vi. to *v.* 24 „ — vii.
Fourteenth „	— ix.	— x. to *v.* 32 „ — xiii.
Fifteenth „	— xviii.	— xix. „ — xxiii. to *v.* 31
Sixteenth „	2 Chron. xxxvi.	Nehem. i. & ii. to *v.* 9 „ Nehem. viii.
Seventeenth „	Jerem. v.	Jerem. xxii. „ Jerem. xxxv.
Eighteenth „	— xxxvi.	Ezekiel ii. „ Ezekiel xiii. to *v.* 17
Nineteenth „	Ezekiel xiv.	— xviii. „ — xxiv. *v.* 15
Twentieth „	— xxxiv.	— xxxvii. „ Daniel i.
Twenty-first „	Daniel iii.	Daniel iv. „ — v.
Twenty-second „	— vi.	— vii. *v.* 9 „ — xii.
Twenty-third „	Hosea xiv.	Joel ii. *v.* 21 „ Joel iii. *v.* 9
Twenty-fourth „	Amos iii.	Amos v. „ Amos ix.
Twenty-fifth „	Micah iv. & v. to *v.* 8	Micah vi. „ Micah vii.
Twenty-sixth „	Habakkuk ii.	Habakkuk iii. „ Zephaniah iii.
Twenty-seventh „	Eccles. xi. and xii.	Haggai ii. to *v.* 10. „ Malachi iii. & iv.

NOTE.—That the Lessons appointed in the above Table for the Twenty-seventh Sunday after Trinity shall always be read on the Sunday next before Advent.

LESSONS PROPER FOR HOLY-DAYS.

—	Mattins.	Evensong.
St. Andrew.		
First Lesson	Isaiah liv.	Isaiah lxv. to *v.* 17
Second Lesson	John i. *v.* 35 to *v.* 43	John xii. *v.* 20 to *v.* 42
St. Thomas.		
First Lesson	Job xlii. to *v.* 7	Isaiah xxxv.
Second Lesson	John xx. *v.* 19 to *v.* 24	John xiv. to *v.* 8
Nativity of Christ.		
First Lesson	Isaiah ix. to *v.* 8	Isa. vii. *v.* 10 to *v.* 17
Second Lesson	Luke ii. to *v.* 15	Tit. iii. *v.* 4 to *v.* 9
St. Stephen.		
First Lesson	Genesis iv. to *v.* 11	2 Chron. xxiv. *v.* 15 to *v.* 23
Second Lesson	Acts vi.	Acts viii. to *v.* 9
St. John Evangelist.		
First Lesson	Exod. xxxiii. *v.* 9	Isaiah vi.
Second Lesson	John xiii. *v.* 23 to *v.* 36	Rev. i.
Innocents' Day.		
First Lesson	Jerem. xxxi. to *v.* 18	Baruch iv. *v.* 21 to *v.* 31
Circumcision.		
First Lesson	Gen. xvii. *v.* 9	Deut. x. *v.* 12
Second Lesson	Rom. ii. *v.* 17	Col. ii. *v.* 8 to *v.* 18
Epiphany.		
First Lesson	Isaiah lx.	Isaiah xlix. *v.* 13 to *v.* 24
Second Lesson	Luke iii. *v.* 15 to *v.* 23	John ii. to *v.* 12
Conversion of St. Paul.		
First Lesson	Isaiah xlix. to *v.* 13	Jerem. i. to *v.* 11
Second Lesson	Gal. i. *v.* 11	Acts xxvi. to *v.* 21
Purification of the Virgin Mary.		
First Lesson	Exod. xiii. to *v.* 17	Haggai ii. to *v.* 10
St. Matthias.		
First Lesson	1 Sam. ii. *v.* 27 to *v.* 36	Isaiah xxii. *v.* 15
Annunciation of our Lady.		
First Lesson	Gen. iii. to *v.* 16	Isaiah lii. *v.* 7 to *v.* 13
Ash Wednesday.		
First Lesson	Isaiah lviii. to *v.* 13	Jonah iii.
Second Lesson	Mark ii. *v.* 13 to *v.* 23	Hebrews xii. *v.* 3 to *v.* 18
Monday before Easter.		
First Lesson	Lament. i. to *v.* 15	Lament. ii. *v.* 13
Second Lesson	John xiv. to *v.* 15	John xiv. *v.* 15
Tuesday before Easter.		
First Lesson	Lam. iii. to *v.* 34	Lament. iii. *v.* 34
Second Lesson	John xv. to *v.* 14	John xv. *v.* 14
Wednesday before Easter.		
First Lesson	Lam. iv. to *v.* 21	Daniel ix. *v.* 20
Second Lesson	John xvi. to *v.* 16	John xvi. *v.* 16
Thursday before Easter.		
First Lesson	Hosea xiii. to *v.* 15	Hosea xiv.
Second Lesson	John xvii.	John xiii. to *v.* 36
Good Friday.		
First Lesson	Gen. xxii. to *v.* 20	Isa. lii. *v.* 13 & liii.
Second Lesson	John xviii.	1 Peter ii.
Easter Even.		
First Lesson	Zechariah ix.	Hosea v. *v.* 8 to vi. *v.* 4
Second Lesson	Luke xxiii. *v.* 50	Rom. vi. to *v.* 14
Monday in Easter Week.		
First Lesson	Exod. xv. to *v.* 22	Cant. ii. *v.* 10
Second Lesson	Luke xxiv. to *v.* 13	Matt. xxviii. to *v.* 10
Tuesday in Easter Week.		
First Lesson	2 Kings xiii. *v.* 14 to *v.* 22	Ezek. xxxvii. to *v.* 15
Second Lesson	John xxi. to *v.* 15	John xxi. *v.* 15
St. Mark.		
First Lesson	Isaiah lxii. *v.* 6	Ezek. i. to *v.* 15
SS. Philip & James.		
First Lesson	Isaiah lxi.	Zech. iv.
Second Lesson	John i. *v.* 43	
Ascension Day.		
First Lesson	Dan. vii. *v.* 9 to *v.* 15	2 Kings ii. to *v.* 16
Second Lesson	Luke xxiv. *v.* 44	Hebrews iv.
Monday in Whitsun Week.		
First Lesson	Gen. xi. to *v.* 10	Num. xi. *v.* 16 to *v.* 31
Second Lesson	1 Cor. xii. to *v.* 14	1 Cor. xii. *v.* 27 & xiii.
Tuesday in Whitsun Week.		
First Lesson	Joel ii. *v.* 21	Micah iv. to *v.* 8
Second Lesson	1 Thess. v. *v.* 12 to *v.* 24	1 John iv. to *v.* 14
St. Barnabas.		
First Lesson	Deut. xxxiii. to *v.* 12	Nahum i.
Second Lesson	Acts iv. *v.* 31	Acts xiv. *v.* 8
St. John Baptist.		
First Lesson	Malachi iii. to *v.* 7	Malachi iv.
Second Lesson	Matt. iii.	Matt. xiv. to *v.* 13
St. Peter.		
First Lesson	Ezek. iii. *v.* 4 to *v.* 15	Zech. iii.
Second Lesson	John xxi. *v.* 15 to *v.* 23	Acts iv. *v.* 8 to *v.* 23
St. James.		
First Lesson	2 Kings i. to *v.* 16	Jer. xxvi. *v.* 8 to *v.* 16
Second Lesson	Luke ix. *v.* 51 to *v.* 57	
St. Bartholomew		
First Lesson	Gen. xxviii. *v.* 10 to *v.* 18	Deut. xviii. *v.* 15
St. Matthew.		
First Lesson	1 Kings xix. *v.* 15	1 Chron. xxix. to *v.* 20
St. Michael.		
First Lesson	Gen. xxxii.	Dan. x. *v.* 4
Second Lesson	Acts xii. *v.* 5 to *v.* 18	Rev. xiv. *v.* 14
St. Luke.		
First Lesson	Isaiah lv.	Ecclus. xxxviii. to *v.* 15
SS. Simon and Jude.		
First Lesson	Isaiah xxviii. *v.* 9 to *v.* 17	Jerem. iii. *v.* 12 to *v.* 19
All Saints.		
First Lesson	Wisd. iii. to *v.* 10	Wisd. v. to *v.* 17
Second Lesson	Heb. xi. *v.* 33 & xii. to *v.* 7	Rev. xix. to *v.* 17

Table of Daily First and Second Lessons to be inserted in the Calendar prefixed to the Prayer Book in lieu of the existing Table.

Note.—With the exception of the Table of Lessons the rest of the Calendar will remain as before the passing of this Act under 24 Geo. 2. c. 23. and the Acts amending the same.

JANUARY	*Morning Prayer.*		*Evening Prayer.*	
	First Lesson.	Second Lesson.	First Lesson.	Second Lesson.
1	——	——	——	——
2	Genesis i. to *v.* 20	Matt. i. *v.* 18.	Genesis i. *v.* 20 to ii. *v.* 4	Acts i.
3	— ii. *v.* 4	— ii.	— iii. to *v.* 20	— ii. to *v.* 22
4	— iii. *v.* 20 to iv. *v.* 16	— iii.	— iv. *v.* 16	— ii. *v.* 22
5	— v. to *v.* 28	— iv to *v.* 23	— v. *v.* 28 to vi. *v.* 9.	— iii.
6	——	——	——	——
7	— vi. *v.* 9	— iv. *v.* 23 to v. *v.* 13	— vii.	— iv. to *v.* 32
8	— viii.	— v. *v.* 13 to *v.* 33	— ix. to *v.* 20	— iv. *v.* 32 to v. *v.* 17
9	— xi. to *v.* 10	— v. *v.* 33	— xii.	— v. *v.* 17
10	— xiii.	— vi. to *v.* 19	— xiv.	— vi.
11	— xv.	— vi. *v.* 19 to vii. *v.* 7	— xvi.	— vii. to *v.* 35
12	— xvii. to *v.* 23	— vii. *v.* 7	— xviii. to *v.* 17	— vii. *v.* 35 to viii. *v.* 5
13	— xviii. *v.* 17	— viii. to *v.* 18	— xix. *v.* 12 to *v.* 30	— viii. *v.* 5 to *v.* 26
14	— xx.	— viii. *v.* 18	— xxi. to *v.* 22	— viii. *v.* 26
15	— xxi. *v.* 33 to xxii. *v.* 20	— ix. to *v.* 18	— xxiii.	— ix. to *v.* 23
16	— xxiv. to *v.* 29	— ix. *v.* 18	— xxiv. *v.* 29 to *v.* 52	— ix. *v.* 23
17	— xxiv. *v.* 52	— x. to *v.* 24	— xxv. *v.* 5 to *v.* 19	— x. to *v.* 24
18	— xxv. *v.* 19	— x. *v.* 24	— xxvi. to *v.* 18	— x. *v.* 24
19	— xxvi. *v.* 18	— xi.	— xxvii. to *v.* 30	— xi.
20	— xxvii. *v.* 30	— xii. to *v.* 22	— xxviii.	— xii.
21	— xxix. to *v.* 21	— xii. *v.* 22	— xxxi. to *v.* 25	— xiii. to *v.* 26
22	— xxxi. *v.* 36	— xiii. to *v.* 24	— xxxii. to *v.* 22	— xiii. *v.* 26
23	— xxxii. *v.* 22	— xiii. *v.* 24 to *v.* 53	— xxxiii.	— xiv.
24	— xxxv. to *v.* 21	— xiii. *v.* 53 to xiv. *v.* 13	— xxxvii. to *v.* 12	— xv. to *v.* 30
25	——	——	——	——
26	— xxxvii. *v.* 12	— xiv. *v.* 13	— xxxix.	— xv. *v.* 30 to xvi. *v.* 16
27	— xl.	— xv. to *v.* 21	— xli. to *v.* 17	— xvi. *v.* 16
28	— xli. *v.* 17 to *v.* 53	— xv. *v.* 21	— xli. *v.* 53 to xlii. *v.* 25	— xvii. to *v.* 16
29	— xlii. *v.* 25	— xvi. to *v.* 24	— xliii. to *v.* 25	— xvii. *v.* 16
30	— xliii. *v.* 25 to xliv. *v.* 14	— xvi. *v.* 24 to xvii. *v.* 14	— xliv. *v.* 14	— xviii. to *v.* 24
31	— xlv. to *v.* 25	— xvii. *v.* 14	— xlv. *v.* 25 to xlvi. *v.* 8	— xviii. *v.* 24 to xix. *v.* 21

FEBRUARY	*Morning Prayer.*		*Evening Prayer.*	
	First Lesson.	Second Lesson.	First Lesson.	Second Lesson.
1	Genesis xlvi. *v.* 26 to xlvii. *v.* 13	Matt. xviii. to *v.* 21	Genesis xlvii. *v.* 13	Acts xix. *v.* 21
2	——	— xviii. *v.* 21 to xix. *v.* 3	——	— xx. to *v.* 17
3	— xlviii.	— xix. *v.* 3 to *v.* 27	— xlix.	— xx. *v.* 17
4	— l.	— xix. *v.* 27 to xx. *v.* 17	Exodus i.	— xxi. to *v.* 17
5	Exodus ii.	— xx. *v.* 17	— iii.	— xxi. *v.* 17 to *v.* 37
6	— iv. to *v.* 24	— xxi. to *v.* 23	— iv. *v.* 27 to v. *v.* 15	— xxi. *v.* 37 to xxii. *v.* 23
7	— v. *v.* 15 to vi. *v.* 14	— xxi. *v.* 23	— vi. *v.* 28 to vii. *v.* 14	— xxii. *v.* 23 to xxiii. *v.* 12
8	— vii. *v.* 14	— xxii. to *v.* 15	— viii. to *v.* 20	— xxiii. *v.* 12
9	— viii. *v.* 20 to ix. *v.* 13	— xxii. *v.* 15 to *v.* 41	— ix. *v.* 13	— xxiv.
10	— x. to *v.* 21	— xxii. *v.* 41 to xxiii. *v.* 13	— x. *v.* 21 and xi.	— xxv.
11	— xii. to *v.* 21	— xxiii. *v.* 13	— xii. *v.* 21 to *v.* 43	— xxvi.
12	— xii. *v.* 43 to xiii. *v.* 17	— xxiv. to *v.* 29	— xiii. *v.* 17 to xiv. *v.* 10	— xxvii. to *v.* 18
13	— xiv. *v.* 10	— xxiv. *v.* 29	— xv. to *v.* 22	— xxvii. *v.* 18
14	— xv. *v.* 22 to xvi. *v.* 11	— xxv. to *v.* 31	— xvi. *v.* 11	— xxviii. to *v.* 17
15	— xvii.	— xxv. *v.* 31	— xviii.	— xxviii. *v.* 17
16	— xix.	— xxvi. to *v.* 31	— xx. to *v.* 22	Romans i.
17	— xxi. to *v.* 18	— xxvi. *v.* 31 to *v.* 57	— xxii. *v.* 21 to xxiii. *v.* 10	— ii. to *v.* 17
18	— xxiii. *v.* 14	— xxvi. *v.* 57	— xxiv.	— ii. *v.* 17
19	—xxv. to *v.* 23	—xxvii. to *v.* 27	— xxviii. to *v.* 13	— iii.
20	— xxviii. *v.* 29 to *v.* 42	— xxvii. *v.* 27 to *v.* 57	— xxix. *v.* 35 to xxx. *v.* 11	— iv.
21	— xxxi.	— xxvii. *v.* 57	— xxxii. to *v.* 15	— v.
22	— xxxii. *v.* 15	— xxviii.	— xxxiii. to *v.* 12	— vi.
23	— xxxiii. *v.* 12 to xxxiv. *v.* 10	Mark i. to *v.* 21	— xxxiv. *v.* 10 to *v.* 27	— vii.
24	——	— i. *v.* 21	——	— viii. to *v.* 18
25	— xxxiv. *v.* 27	— ii. to *v.* 23	— xxxv. *v.* 29 to xxxvi. *v.* 8	— viii. *v.* 18
26	— xxxix. *v.* 30	— ii. *v.* 23 to iii. *v.* 13	— xl. to *v.* 17	— ix. to *v.* 19
27	— xl. *v.* 17	— iii. *v.* 13	Levit. ix. *v.* 22 to x. *v.* 12	— ix. *v.* 19
28	Levit. xiv. to *v.* 23	— iv. to *v.* 35	— xvi. to *v.* 23	— x.
29	— xix. to *v.* 19	Matt. vii.	— xix. *v.* 30 to xx. *v.* 9	— xii.

MARCH	*Morning Prayer.*		*Evening Prayer.*	
	FIRST LESSON.	SECOND LESSON.	FIRST LESSON.	SECOND LESSON.
1	Levit. xxv. to *v.* 18	Mark iv. *v.* 35 to v. *v.* 21	Levit. xxv. *v.* 18 to *v.* 44	Romans xi. to *v.* 25
2	— xxvi. to *v.* 21	— v. *v.* 21	— xxvi. *v.* 21	— xi. *v.* 25
3	Numbers vi.	— vi. to *v.* 14	Numbers ix. *v.* 15 to x. *v.* 11	— xii.
4	— x. *v.* 11	— vi. *v.* 14 to *v.* 30	— xi. to *v.* 24	— xiii.
5	— xi. *v.* 24	— vi. *v.* 30	— xii.	— xiv. and xv. to *v.* 8
6	— xiii. *v.* 17	— vii. to *v.* 24	— xiv. to *v.* 26	— xv. *v.* 8
7	— xiv. *v.* 26	— vii. *v.* 24 to viii. *v.* 10	— xvi. to *v.* 23	— xvi.
8	— xvi. *v.* 23	— viii. *v.* 10 to ix. *v.* 2	— xvii.	1 Cor. i. to *v.* 26
9	— xx. to *v.* 14	— ix. *v.* 2 to *v.* 30	— xx. *v.* 14	— i. *v.* 26 & ii.
10	— xxi. to *v.* 10	— ix. *v.* 30	— xxi. *v.* 10 to *v.* 32	— iii.
11	— xxii. to *v.* 22	— x. to *v.* 32	— xxii. *v.* 22	— iv. to *v.* 18
12	— xxiii.	— x. *v.* 32	— xxiv.	— iv. *v.* 18 and v.
13	— xxv.	— xi. to *v.* 27	— xxvii. *v.* 12	— vi.
14	Deuteron. i. to *v.* 19	— xi. *v.* 27 to xii. *v.* 13	Deuteron. i. *v.* 19	— vii. to *v.* 25
15	— ii. to *v.* 26	— xii. *v.* 13 to *v.* 35	— ii. *v.* 26 to iii. *v.* 18	— vii. *v.* 25
16	— iii. *v.* 18	— xii. *v.* 35 to xiii. *v.* 14	— iv. to *v.* 25	— viii.
17	— iv. *v.* 25 to *v.* 41	— xiii. *v.* 14	— v. to *v.* 22	— ix.
18	— v. *v.* 22	— xiv. to *v.* 27	— vi.	— x. and xi. *v.* 1
19	— vii. to *v.* 12	— xiv. *v.* 27 to *v.* 53	— vii. *v.* 12	— xi. *v.* 2 to *v.* 17
20	— viii.	— xiv. *v.* 53	— x. *v.* 8	— xi. *v.* 17
21	— xi. to *v.* 18	— xv. to *v.* 42	— xi. *v.* 18	— xii. to *v.* 28
22	— xv. to *v.* 16	— xv. *v.* 42 & xvi.	— xvii. *v.* 8	— xii. *v.* 28 and xiii.
23	— xviii. *v.* 9	Luke i. to *v.* 26	— xxiv. *v.* 5	— xiv. to *v.* 20
24	— xxvi.	— i. *v.* 26 to *v.* 46	— xxvii.	— xiv. *v.* 20
25	——	— i. *v.* 46	——	— xv. to *v.* 35
26	— xxviii. to *v.* 15	— ii. to *v.* 21	— xxviii. *v.* 15 to *v.* 47	— xv. *v.* 35
27	— xxviii. *v.* 47	— ii. *v.* 21	— xxix. *v.* 9	— xvi.
28	— xxx.	— iii. to *v.* 23	— xxxi. to *v.* 14	2 Cor. i. to *v.* 23
29	— xxxi. *v.* 14 to *v.* 30	— iv. to *v.* 16	— xxxi. *v.* 30 to xxxii. *v.* 44	— i. *v.* 23 to ii. *v.* 14
30	— xxxii. *v.* 44	— iv. *v.* 16	— xxxiii.	— ii. *v.* 14 and iii.
31	— xxxiv.	— v. to *v.* 17	Joshua i.	— iv.

April	*Morning Prayer.*		*Evening Prayer.*	
	First Lesson.	Second Lesson.	First Lesson.	Second Lesson.
1	Joshua ii.	Luke v. *v.* 17	Joshua iii.	2 Cor. v.
2	— iv.	— vi. to *v.* 20	— v.	— vi. and vii. *v.* 1
3	— vi.	— vi. *v.* 20	— vii.	— vii. *v.* 2
4	— ix. *v.* 3	— vii. to *v.* 24	— x. to *v.* 16	— viii.
5	— xxi. *v.* 43 to xxii. *v.* 11	— vii. *v.* 24	— xxii. *v.* 11	— ix.
6	— xxiii.	— viii. to *v.* 26	— xxiv.	— x.
7	Judges ii.	— viii. *v.* 26	Judges iv.	— xi. to *v.* 30
8	— v.	— ix. to *v.* 28	— vi. to *v.* 24	— xi. *v.* 30 to xii. *v.* 14
9	— vi. *v.* 24	— ix. *v.* 28 to *v.* 51	— vii.	— xii. *v.* 14 and xiii.
10	— viii. *v.* 32 to ix. *v.* 25	— ix. *v.* 51 to x. *v.* 17	— x.	Gal. i.
11	— xi. to *v.* 29	— x. *v.* 17	— xi. *v.* 29	— ii.
12	— xiii.	— xi. to *v.* 29	— xiv.	— iii.
13	— xv.	— xi. *v.* 29	— xvi.	— iv. to *v.* 21
14	Ruth i.	— xii. to *v.* 35	Ruth ii.	— iv. *v.* 21 to v. *v.* 13
15	— iii.	— xii. *v.* 35	— iv.	— v. *v.* 13
16	1 Samuel i.	— xiii. to *v.* 18	1 Samuel ii. to *v.* 21	— vi.
17	— ii. *v.* 21	— xiii. *v.* 18	— iii.	Eph. i.
18	— iv.	— xiv. to *v.* 25	— v.	— ii.
19	— vi.	— xiv. *v.* 25 to xv. *v.* 11	— vii.	— iii.
20	— viii.	— xv. *v.* 11	— ix.	— iv. to *v.* 25
21	— x.	— xvi.	— xi.	— iv. *v.* 25 to v. *v.* 22
22	— xii.	— xvii. to *v.* 20	— xiii.	— v. *v.* 22 to vi. *v.* 10
23	— xiv. to *v.* 24	— xvii. *v.* 20	— xiv. *v.* 24 to *v.* 47	— vi. *v.* 10
24	— xv.	— xviii. to *v.* 31	— xvi.	Phil. i.
25	——	— xviii. *v.* 31 to xix. *v.* 11	——	— ii.
26	— xvii. to *v.* 31	— xix. *v.* 11 to *v.* 28	— xvii. *v.* 31 to *v.* 55	— iii.
27	— xvii. *v.* 55 to xviii. *v.* 17	— xix. *v.* 28	— xix.	— iv.
28	— xx. to *v.* 18	— xx. to *v.* 27	— xx. *v.* 18	Col. i. to *v.* 21
29	— xxi.	— xx. *v.* 27 to xxi. *v.* 5	— xxii.	— i. *v.* 21 to ii. *v.* 8
30	— xxiii.	— xxi. *v.* 5	— xxiv. and xxv. *v.* 1	— ii. *v.* 8

MAY	*Morning Prayer.*		*Evening Prayer.*	
	FIRST LESSON.	SECOND LESSON.	FIRST LESSON.	SECOND LESSON.
1	——	——	——	Colossians iii. to *v.* 18
2	1 Samuel xxvi.	Luke xxii. to *v.* 31	1 Samuel xxviii. *v.* 3	— iii. *v.* 18 to iv. *v.* 7
3	— xxxi.	— xxii. *v.* 31 to *v.* 54	2 Samuel i.	— iv. *v.* 7
4	2 Samuel iii. *v.* 17	— xxii. *v.* 54	— iv.	1 Thess. i.
5	— vi.	— xxiii. to *v.* 26	— vii. to *v.* 18	— ii.
6	— vii. *v.* 18	— xxiii. *v.* 26 to *v.* 50	— ix.	— iii.
7	— xi.	— xxiii. *v.* 50 to xxiv. *v.* 13	— xii. to *v.* 24	— iv.
8	— xiii. *v.* 38 to xiv. *v.* 26	— xxiv. *v.* 13	— xv. to *v.* 16	— v.
9	— xv. *v.* 16	John i. to *v.* 29	— xvi. to *v.* 15	2 Thess. i.
10	— xvi. *v.* 15 to xvii. *v.* 24	— i. *v.* 29	— xvii. *v.* 24 to xviii. *v.* 18	— ii.
11	— xviii. *v.* 18	— ii.	— xix. to *v.* 24	— iii.
12	— xix. *v.* 24	— iii. to *v.* 22	— xxi. to *v.* 15	1 Tim. i. to *v.* 18
13	— xxiii. to *v.* 24	— iii. *v.* 22	— xxiv.	— i. *v.* 18 and ii.
14	1 Kings i. to *v.* 28	— iv. to *v.* 31	1 Kings i. *v.* 28 to *v.* 49	— iii.
15	1 Chron. xxix. *v.* 10	— iv. *v.* 31	— iii.	— iv.
16	1 Kings iv. *v.* 20	— v. to *v.* 24	— v.	— v.
17	— vi. to *v.* 15	— v. *v.* 24	— viii. to *v.* 22	— vi.
18	— viii. *v.* 22 to *v.* 54	— vi. to *v.* 22	— viii. *v.* 54 to ix. *v.* 10	2 Tim. i.
19	— x.	— vi. *v.* 22 to *v.* 41	— xi. to *v.* 26	— ii.
20	— xi. *v.* 26	— vi. *v.* 41	— xii. to *v.* 25	— iii.
21	— xii. *v.* 25 to xiii. *v.* 11	— vii. to *v.* 25	— xiii. *v.* 11	— iv.
22	— xiv. to *v.* 21	— vii. *v.* 25	— xv. *v.* 25 to xvi. *v.* 8	Titus i.
23	— xvi. *v.* 8	— viii. to *v.* 31	— xvii.	— ii.
24	— xviii. to *v.* 17	— viii. *v.* 31	— xviii. *v.* 17	— iii.
25	— xix.	— ix. to *v.* 39	— xxi.	Philemon
26	— xxii. to *v.* 41	— ix. *v.* 39 to x. *v.* 22	2 Kings i.	Hebrews i.
27	2 Kings ii.	— x. *v.* 22	— iv. *v.* 8	— ii. and iii. to *v.* 7
28	— v.	— xi. to *v.* 17	— vi. to *v.* 24	— iii. *v.* 7 to iv. *v.* 14
29	— vi. *v.* 24	— xi. *v.* 17 to *v.* 47	— vii.	— iv. *v.* 14 and v.
30	— viii. to *v.* 16	— xi. *v.* 47 to xii. *v.* 20	— ix.	— vi.
31	— x. to *v.* 18	— xii. *v.* 20	— x. *v.* 18	— vii.

JUNE	*Morning Prayer.*		*Evening Prayer.*	
	First Lesson.	Second Lesson.	First Lesson.	Second Lesson.
1	2 Kings xiii.	John xiii. to *v.* 21	2 Kings xvii. to *v.* 24	Hebrews viii.
2	— xvii. *v.* 24	— xiii. *v.* 21	2 Chron. xii.	— ix.
3	2 Chron. xiii.	— xiv.	— xiv.	— x. to *v.* 19
4	— xv.	— xv.	— xvi. and xvii. to *v.* 14	— x. *v.* 19
5	— xix.	— xvi. to *v.* 16	— xx. to *v.* 31	— xi. to *v.* 17
6	— xx. *v.* 31 and xxi.	— xvi. *v.* 16	— xxii.	— xi. *v.* 17
7	— xxiii.	— xvii.	— xxiv.	— xii.
8	— xxv.	— xviii. to *v.* 28	— xxvi. and xxvii.	— xiii.
9	— xxviii.	— xviii. *v.* 28	2 Kings xviii. to *v.* 9	James i.
10	— xxix. *v.* 3 to *v.* 21	— xix. to *v.* 25	2 Chron. xxx. and xxxi. *v.* 1	— ii.
11	——	——	——	——
12	2 Kings xviii. *v.* 13	— xix. *v.* 25	2 Kings xix. to *v.* 20	— iii.
13	— xix. *v.* 20	— xx. to *v.* 19	— xx.	— iv.
14	Isaiah xxxviii. *v.* 9 to *v.* 21	— xx. *v.* 19	2 Chron. xxxiii.	— v.
15	2 Kings xxii.	— xxi.	2 Kings xxiii. to *v.* 21	1 Peter i. to *v.* 22
16	— xxiii. *v.* 21 to xxiv. *v.* 8	Acts i.	— xxiv. *v.* 8 to xxv. *v.* 8	— i. *v.* 22 to ii. *v.* 11
17	— xxv. *v.* 8	— ii. to *v.* 22	Ezra i. and iii.	— ii. *v.* 11 to iii. *v.* 8
18	Ezra iv.	— ii. *v.* 22	— v.	— iii. *v.* 8 to iv. *v.* 7
19	— vii.	— iii.	— viii. *v.* 15	— iv. *v.* 7
20	— ix.	— iv. to *v.* 32	— x. to *v.* 20	— v.
21	Nehemiah i.	— iv. *v.* 32 to v. *v.* 17	Nehemiah ii.	2 Peter i.
22	— iv.	— v. *v.* 17	— v.	— ii.
23	— vi. and vii. to *v.* 5	— vi.	— vii. *v.* 73 and viii.	— iii.
24	——	——	——	——
25	— xiii. to *v.* 15	— vii. to *v.* 35	— xiii. *v.* 15	1 John i.
26	Esther i.	— vii. *v.* 35 to viii. *v.* 5	Esther ii. *v.* 15 and iii.	— ii. to *v.* 15
27	— iv.	— viii. *v.* 5 to *v.* 26	— v.	— ii. *v.* 15
28	— vi.	— viii. *v.* 26	— vii.	— iii. to *v.* 16
29	——	——	——	——
30	Job i.	— ix. to *v.* 23	Job ii.	— iii. *v.* 16 to iv. *v.* 7

JULY	*Morning Prayer.*		*Evening Prayer.*	
	First Lesson.	Second Lesson.	First Lesson.	Second Lesson.
1	Job iii.	Acts ix. *v.* 23	Job iv.	1 John iv. *v.* 7
2	— v.	— x. to *v.* 24	— vi.	— v.
3	— vii.	— x. *v.* 24	— ix.	2 John
4	— x.	— xi.	— xi.	3 John
5	— xii.	— xii.	— xiii.	Jude
6	— xiv.	— xiii. to *v.* 26	— xvi.	Matt. i. *v.* 18
7	— xvii.	— xiii. *v.* 26	— xix.	— ii.
8	— xxi.	— xiv.	— xxii. *v.* 12 to *v.* 29	— iii.
9	— xxiii.	— xv. to *v.* 30	— xxiv.	— iv. to *v.* 23
10	— xxv., xxvi.	— xv. *v.* 30 to xvi. *v.* 16	— xxvii.	— iv. *v.* 23 to v. *v.* 13
11	— xxviii.	— xvi. *v.* 16	— xxix. and xxx. *v.* 1	— v. *v.* 13 to *v.* 33
12	— xxx. *v.* 12 to *v.* 27	— xvii. to *v.* 16	— xxxi. *v.* 13	— v. *v.* 33
13	— xxxii.	— xvii. *v.* 16	— xxxviii. to *v.* 39	— vi. to *v.* 19
14	— xxxviii. *v.* 39 and xxxix.	— xviii. to *v.* 24	— xl.	— vi. *v.* 19 to vii. *v.* 7
15	— xli.	— xviii. *v.* 24 to xix. *v.* 21	— xlii.	— vii. *v.* 7
16	Proverbs i. to *v.* 20	— xix. *v.* 21	Proverbs i. *v.* 20	— viii. to *v.* 18
17	— ii.	— xx. to *v.* 17	— iii. to *v.* 27	— viii. *v.* 18
18	— iii. *v.* 27 to iv. *v.* 20	— xx. *v.* 17	— iv. *v.* 20 to v. *v.* 15	— ix. to *v.* 18
19	— v. *v.* 15	— xxi. to *v.* 17	— vi. to *v.* 20	— ix. *v.* 18
20	— vii.	— xxi. *v.* 17 to *v.* 37	— viii.	— x. to *v.* 24
21	— ix.	— xxi. *v.* 37 to xxii. *v.* 23	— x. *v.* 16	— x. *v.* 24
22	— xi. to *v.* 15	— xxii. *v.* 23 to xxiii. *v.* 12	— xi. *v.* 15	— xi.
23	— xii. *v.* 10	— xxiii. *v.* 12	— xiii.	— xii. to *v.* 22
24	— xiv. *v.* 9 to *v.* 28	— xxiv.	— xiv. *v.* 28 to xv. *v.* 18	— xii. *v.* 22
25	——	——	——	— xiii. to *v.* 24
26	— xv. *v.* 18	— xxv.	— xvi. to *v.* 20	— xiii. *v.* 24 to *v.* 53
27	— xvi. *v.* 31 to xvii. *v.* 18	— xxvi.	— xviii. *v.* 10	— xiii. *v.* 53 to xiv. *v.* 13
28	— xix. *v.* 13	— xxvii.	— xx. to *v.* 23	— xiv. *v.* 13
29	— xxi. to *v.* 17	— xxviii. to *v.* 17	— xxii. to *v.* 17	— xv. to *v.* 21
30	— xxiii. *v.* 10	— xxviii. *v.* 17	— xxiv. *v.* 21	— xv. *v.* 21
31	— xxv.	Romans i.	— xxvi. to *v.* 21	— xvi. to *v.* 24

AUGUST	*Morning Prayer.*		*Evening Prayer.*	
	First Lesson.	Second Lesson.	First Lesson.	Second Lesson.
1	Proverbs xxvii. to *v.* 23	Romans ii. to *v.* 17	Proverbs xxviii. to *v.* 15	Matt. xvi. *v.* 24 to xvii. *v.* 14
2	— xxx. to *v.* 18	— ii. *v.* 17	— xxxi. *v.* 10	— xvii. *v.* 14
3	Eccles. i.	— iii.	Eccles. ii. to *v.* 12	— xviii. to *v.* 21
4	— iii.	— iv.	— iv.	— xviii. *v.* 21 to xix. *v.* 3
5	— v.	— v.	— vi.	— xix. *v.* 3 to *v.* 27
6	— vii.	— vi.	— viii.	— xix. *v.* 27 to xx. *v.* 17
7	— ix.	— vii.	— xi.	— xx. *v.* 17
8	— xii.	— viii. to *v.* 18	Jeremiah i.	— xxi. to *v.* 23
9	Jeremiah ii. to *v.* 14	— viii. *v.* 18	— v. to *v.* 19	— xxi. *v.* 23
10	— v. *v.* 19	— ix. to *v.* 19	— vi. to *v.* 22	— xxii. to *v.* 15
11	— vii. to *v.* 17	— ix. *v.* 19	— viii. *v.* 4	— xxii. *v.* 15 to *v.* 41
12	— ix. to *v.* 17	— x.	— xiii. *v.* 8 to *v.* 24	— xxii. *v.* 41 to xxiii. *v.* 13
13	— xv.	— xi. to *v.* 25	— xvii. to *v.* 19	— xxiii. *v.* 13
14	— xviii. to *v.* 18	— xi. *v.* 25	— xix.	— xxiv. to *v.* 29
15	— xxi.	— xii.	— xxii. to *v.* 13	— xxiv. *v.* 29
16	— xxii. *v.* 13	— xiii.	— xxiii. to *v.* 16	— xxv. to *v.* 31
17	— xxiv.	— xiv. and xv. to *v.* 8	— xxv. to *v.* 15	— xxv. *v.* 31
18	— xxvi.	— xv. *v.* 8	— xxviii.	— xxvi. to *v.* 31
19	— xxix. *v.* 4 to *v.* 20	— xvi.	— xxx.	— xxvi. *v.* 31 to *v.* 57
20	— xxxi. to *v.* 15	1 Cor. i. to *v.* 26	— xxxi. *v.* 15 to *v.* 38	— xxvi. *v.* 57
21	— xxxiii. to *v.* 14	— i. *v.* 26 and ii.	— xxxiii. *v.* 14	— xxvii. to *v.* 27
22	— xxxv.	— iii.	— xxxvi. to *v.* 14	— xxvii. *v.* 27 to *v.* 57
23	— xxxvi. *v.* 14	— iv. to *v.* 18	— xxxviii. to *v.* 14	— xxvii. *v.* 57
24	——	— iv. *v.* 18 and v.	——	— xxviii.
25	— xxxviii. *v.* 14	— vi.	— xxxix.	Mark i. to *v.* 21
26	— l. to *v.* 21	— vii. to *v.* 25	— li. *v.* 54	— i. *v.* 21
27	Ezekiel i. to *v.* 15	— vii. *v.* 25	Ezekiel i. *v.* 15	— ii. to *v.* 23
28	— ii.	— viii.	— iii. to *v.* 15	— ii. *v.* 23 to iii. *v.* 13
29	— iii. *v.* 15	— ix.	— viii.	— iii. *v.* 13
30	— ix.	— x. and xi. *v.* 1	— xi. *v.* 14	— iv. to *v.* 35
31	— xii. *v.* 17	— xi. *v.* 2 to *v.* 17	— xiii. to *v.* 17	— iv. *v.* 35 to v. *v.* 21.

SEPTEMBER	*Morning Prayer.*		*Evening Prayer.*	
	FIRST LESSON.	SECOND LESSON.	FIRST LESSON.	SECOND LESSON.
1	Ezekiel xiii. *v.* 17	1 Cor. xi. *v.* 17	Ezekiel xiv. to *v.* 12	Mark v. *v.* 21
2	— xiv. *v.* 12	— xii. to *v.* 28	— xvi. *v.* 44	— vi. to *v.* 14
3	— xviii. to *v.* 19	— xii. *v.* 28 and xiii.	— xviii. *v.* 19	— vi. *v.* 14 to *v.* 30
4	— xx. to *v.* 18	— xiv. to *v.* 20	— xx. *v.* 18 to *v.* 33	— vi. *v.* 30
5	— xx. *v.* 33 to *v.* 44	— xiv. *v.* 20	— xxii. *v.* 23	— vii. to *v.* 24
6	— xxiv. *v.* 15	— xv. to *v.* 35	— xxvi.	— vii. *v.* 24 to viii. *v.* 10
7	— xxvii. to *v.* 26	— xv. *v.* 35	— xxvii. *v.* 26	— viii. *v.* 10 to ix. *v.* 2
8	— xxviii. to *v.* 20	— xvi.	— xxxi.	— ix. *v.* 2 to *v.* 30
9	— xxxii. to *v.* 17	2 Cor. i. to *v.* 23	— xxxiii. to *v.* 21	— ix. *v.* 30
10	— xxxiii. *v.* 21	— i. *v.* 23 to ii. *v.* 14	— xxxiv. to *v.* 17	— x. to *v.* 32
11	— xxxiv. *v.* 17	— ii. *v.* 14 and iii.	— xxxvi. *v.* 16 to *v.* 33	— x. *v.* 32
12	— xxxvii. to *v.* 15	— iv.	— xxxvii. *v.* 15	— xi. to *v.* 27
13	— xlvii. to *v.* 13	— v.	Daniel i.	— xi. *v.* 27 to xii. *v.* 13
14	Daniel ii. to *v.* 24	— vi. and vii. *v.* 1	— ii. *v.* 24	— xii. *v.* 13 to *v.* 35
15	— iii.	— vii. *v.* 2	— iv. to *v.* 19	— xii. *v.* 35 to xiii. *v.* 14
16	— iv. *v.* 19	— viii.	— v. to *v.* 17	— xiii. *v.* 14
17	— v. *v.* 17	— ix.	— vi.	— xiv. to *v.* 27
18	— vii. to *v.* 15	— x.	— vii. *v.* 15	— xiv. *v.* 27 to *v.* 53
19	— ix. to *v.* 20	— xi. to *v.* 30	— ix. *v.* 20	— xiv. *v.* 53
20	— x. to *v.* 20	— xi. *v.* 30 to xii. *v.* 14	— xii.	— xv. to *v.* 42
21	——	— xii. *v.* 14 and xiii.	——	— xv. *v.* 42 and xvi.
22	Hosea ii. *v.* 14	Gal. i.	Hosea iv. to *v.* 13	Luke i. to *v.* 26
23	— v. *v.* 8 to vi. *v.* 7	— ii.	— vii. *v.* 8	— i. *v.* 26 to *v.* 57
24	— viii.	— iii.	— ix.	— i. *v.* 57
25	— x.	— iv. to *v.* 21	— xi. and xii. to *v.* 7	— ii. to *v.* 21
26	— xiii. to *v.* 15	— iv. *v.* 21 to v. *v.* 13	— xiv.	— ii. *v.* 21
27	Joel i.	— v. *v.* 13	Joel ii. to *v.* 15	— iii. to *v.* 23
28	— ii. *v.* 15 to *v.* 28	— vi.	— ii. *v.* 28 to iii. *v.* 9	— iv. to *v.* 16
29	——	——	——	——
30	— iii. *v.* 9	Eph. i.	Amos i. and ii. to *v.* 4	Luke iv. *v.* 16

OCTOBER	*Morning Prayer.*		*Evening Prayer.*	
	FIRST LESSON.	SECOND LESSON.	FIRST LESSON.	SECOND LESSON.
1	Amos ii. *v.* 4 to iii. *v.* 9	Eph. ii.	Amos iv. *v.* 4	Luke v. to *v.* 17
2	— v. to *v.* 18	— iii.	— v. *v.* 18 to vi. *v.* 9	— v. *v.* 17
3	— vii.	— iv. to *v.* 25	— viii.	— vi. to *v.* 20
4	— ix.	— iv. *v.* 25 to v. *v.* 22	Obadiah	— vi. *v.* 20
5	Jonah i.	— v. *v.* 22 to vi. *v.* 10	Jonah ii.	— vii. to *v.* 24
6	— iii.	— vi. *v.* 10	— iv.	— vii. *v.* 24
7	Micah i. to *v.* 10	Phil. i.	Micah ii.	— viii. to *v.* 26
8	— iii.	— ii.	— iv.	— viii. *v.* 26
9	— v.	— iii.	— vi.	— ix. to *v.* 28
10	— vii.	— iv.	Nahum i.	— ix. *v.* 28 to *v.* 51
11	Nahum ii.	Col. i. to *v.* 21	— iii.	— ix. *v.* 51 to x. *v.* 17
12	Habakkuk i.	— i. *v.* 21 to ii. *v.* 8	Habakkuk ii.	— x. *v.* 17
13	— iii.	— ii. *v.* 8	Zephaniah i. to *v.* 14	— xi. to *v.* 29
14	Zephaniah i. *v.* 14 to ii. *v.* 4	— iii. to *v.* 18	— ii. *v.* 4	— xi. *v.* 29
15	— iii.	— iii. *v.* 18 and iv.	Haggai i.	— xii. to *v.* 35
16	Haggai ii. to *v.* 10	1 Thess. i.	— ii. *v.* 10	— xii. *v.* 35
17	Zechariah i. to *v.* 18	— ii.	Zechariah i. *v.* 18 and ii.	— xiii. to *v.* 18
18	——	— iii.	——	— xiii. *v.* 18
19	— iii.	— iv.	— iv.	— xiv. to *v.* 25
20	— v.	— v.	— vi.	— xiv. *v.* 25 to xv. *v.* 11
21	— vii.	2 Thess. i.	— viii. to *v.* 14	— xv. *v.* 11
22	— viii. *v.* 14	— ii.	— ix. *v.* 9	— xvi.
23	— x.	— iii.	— xi.	— xvii. to *v.* 20
24	— xii.	1 Tim. i. to *v.* 18	— xiii.	— xvii. *v.* 20
25	— xiv.	— i. *v.* 18 and ii.	Malachi i.	— xviii. to *v.* 31
26	Malachi ii.	— iii.	— iii. to *v.* 13	— xviii. *v.* 31 to xix. *v.* 11
27	— iii. *v.* 13 and iv.	— iv.	Wisdom i.	— xix. *v.* 11 to *v.* 28
28	——	— v.	——	— xix. *v.* 28
29	Wisdom ii.	— vi.	— iv. *v.* 7	— xx. to *v.* 27
30	— vi. to *v.* 22	2 Tim. i.	— vi. *v.* 22 to vii. *v.* 15	— xx. *v.* 27 to xxi. *v.* 5
31	— vii. *v.* 15	— ii.	— viii. to *v.* 19	— xxi. *v.* 5

NOVEMBER	*Morning Prayer.*		*Evening Prayer.*	
	FIRST LESSON.	SECOND LESSON.	FIRST LESSON.	SECOND LESSON.
1	——	——	——	——
2	Wisdom ix.	2 Tim. iii.	Wisdom xi. to *v.* 15	Luke xxii. to *v.* 31
3	— xi. *v.* 15 to xii. *v.* 3	— iv.	— xvii.	— xxii. *v.* 31 to *v.* 54
4	Ecclus. i. to *v.* 14	Titus i.	Ecclus. ii.	— xxii. *v.* 54
5	— iii. *v.* 17 to *v.* 30	— ii.	— iv. *v.* 10	— xxiii. to *v.* 26
6	— v.	— iii.	— vii. *v.* 27	— xxiii. *v.* 26 to *v.* 50
7	— x. *v.* 18	Philemon	— xiv. to *v.* 20	— xxiii. *v.* 50 to xxiv. *v.* 13
8	— xv. *v.* 9	Hebrews i.	— xvi. *v.* 17	— xxiv. *v.* 13
9	— xviii. to *v.* 15	— ii. and iii. to *v.* 7	— xviii. *v.* 15	John i. to *v.* 29
10	— xix. *v.* 13	— iii. *v.* 7 to iv. *v.* 14	— xxii. *v.* 6 to *v.* 24	— i. *v.* 29
11	— xxiv. to *v.* 24	— iv. *v.* 14 and v.	— xxiv. *v.* 24	— ii.
12	— xxxiii. *v.* 7 to *v.* 23	— vi.	— xxxiv. *v.* 15	— iii. to *v.* 22
13	— xxxv.	— vii.	— xxxvii. *v.* 8 to *v.* 19	— iii. *v.* 22
14	— xxxix. to *v.* 13	— viii.	— xxxix. *v.* 13	— iv. to *v.* 31
15	— xli. to *v.* 14	— ix.	— xlii. *v.* 15	— iv. *v.* 31
16	— xliv. to *v.* 16	— x. to *v.* 19	— l. to *v.* 25	— v. to *v.* 24
17	— li. *v.* 10	— x. *v.* 19	Baruch iv. to *v.* 21	— v. *v.* 24
18	Baruch iv. *v.* 36 and v.	— xi. to *v.* 17	Isaiah i. to *v.* 21	— vi. to *v.* 22
19	Isaiah i. *v.* 21	— xi. *v.* 17	— ii.	— vi. *v.* 22 to *v.* 41
20	— iii. to *v.* 16	— xii.	— iv. *v.* 2	— vi. *v.* 41
21	— v. to *v.* 18	— xiii.	— v. *v.* 18	— vii. to *v.* 25
22	— vi.	James i.	— vii. to *v.* 17	— vii. *v.* 25
23	— viii. *v.* 5 to *v.* 18	— ii.	— viii. *v.* 18 to ix. *v.* 8	— viii. to *v.* 31
24	— ix. *v.* 8 to x. *v.* 5	— iii.	— x. *v.* 5 to *v.* 20	— viii. *v.* 31
25	— x. *v.* 20	— iv.	— xi. to *v.* 10	— ix. to *v.* 39
26	— xi. *v.* 10	— v.	— xii.	— ix. *v.* 39 to x. *v.* 22
27	— xiii.	1 Peter i. to *v.* 22	— xiv. to *v.* 24	— x. *v.* 22
28	— xvii.	— i. *v.* 22 to ii. *v.* 11	— xviii.	— xi. to *v.* 17
29	— xix. to *v.* 16	— ii. *v.* 11 to iii. *v.* 8	— xix. *v.* 16	— xi. *v.* 17 to *v.* 47
30	——	——	——	——

DECEMBER	*Morning Prayer.*		*Evening Prayer.*	
	First Lesson.	Second Lesson.	First Lesson.	Second Lesson.
1	Isaiah xxi. to *v.* 13	1 Peter iii. *v.* 8 to iv. *v.* 7	Isaiah xxii. to *v.* 15	John xi. *v.* 47 to xii. *v.* 20
2	— xxii. *v.* 15	— iv. *v.* 7	— xxiii.	— xii. *v.* 20
3	— xxiv.	— v.	— xxv.	— xiii. to *v.* 21
4	— xxvi. to *v.* 20	2 Peter i.	— xxvi. *v.* 20 and xxvii.	— xiii. *v.* 21
5	— xxviii. to *v.* 14	— ii.	— xxviii. *v.* 14	— xiv.
6	— xxix. to *v.* 9	— iii.	— xxix. *v.* 9	— xv.
7	— xxx. to *v.* 18	1 John i.	— xxx. *v.* 18	— xvi. to *v.* 16
8	— xxxi.	— ii. to *v.* 15	— xxxii.	— xvi. *v.* 16
9	— xxxiii.	— ii. *v.* 15	— xxxiv.	— xvii.
10	— xxxv.	— iii. to *v.* 16	— xl. to *v.* 12	— xviii. to *v.* 28
11	— xl. *v.* 12	— iii. *v.* 16 to iv. *v.* 7	— xli. to *v.* 17	— xviii. *v.* 28
12	— xli. *v.* 17	— iv. *v.* 7	— xlii. to *v.* 18	— xix. to *v.* 25
13	— xlii. *v.* 18 to xliii. *v.* 8	— v.	— xliii. *v.* 8	— xix. *v.* 25
14	— xliv. to *v.* 21	2 John.	— xliv. *v.* 21 to xlv. *v.* 8	— xx. to *v.* 19
15	— xlv. *v.* 8	3 John.	— xlvi.	— xx. *v.* 19
16	— xlvii.	Jude.	— xlviii.	— xxi.
17	— xlix. to *v.* 13	Rev. i.	— xlix. *v.* 13	Rev. ii. to *v.* 18
18	— l.	— ii. *v.* 18 to iii. *v.* 7	— li. to *v.* 9	— iii. *v.* 7
19	— li. *v.* 9.	— iv.	— lii. to *v.* 13	— v.
20	— lii. *v.* 13 and liii.	— vi.	— liv.	— vii.
21	—	—	—	—
22	— lv.	— viii.	— lvi.	— x.
23	— lvii.	— xi.	— lviii.	— xii.
24	— lix.	— xiv.	— lx.	— xv.
25	—	—	—	—
26	—	—	—	—
27	—	—	—	—
28	—	— xvi.	—	— xviii.
29	— lxi.	— xix. to *v.* 11.	— lxii.	— xix. *v.* 11
30	— lxiii.	— xx.	— lxiv. and lxv. to *v.* 8.	— xxi. to *v.* 15
31	— lxv. *v.* 8.	— xxi. *v.* 15 to xxii. *v.* 6	— lxvi.	— xxii. *v.* 6

Prayer Book (Tables of Lessons). [H.L.]

A

B I L L

INTITULED

An Act to amend the law relating to the Tables of Lessons contained in the Prayer Book.

(*Brought from the Lords* 19 *July* 1870.)

Ordered, by The House of Commons, *to be Printed*, 20 *July* 1870.

[Bill 230.]

Under 3 *oz.*

A

B I L L

TO

Amend the Law relating to certain Processions in Ireland. A.D. 1870.

WHEREAS numbers of persons have been in the practice of assembling and marching together in procession in Ireland in a manner calculated to create and perpetuate animosities between different classes of Her Majesty's subjects, and to endanger the public peace, and to promote and encourage treason or sedition:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title. **1.** This Act may be cited for all purposes as "The Processions (Ireland) Act, 1870."

Limitation of Act. **2.** This Act shall extend to Ireland only.

Interpretation. **3.** In the construction of this Act—

"Lord Lieutenant." The term "Lord Lieutenant" shall mean the Lord Lieutenant of Ireland and the Lords Justices or other Chief Governor or Governors of Ireland for the time being:

"Chief Secretary." The terms "Chief Secretary" and "Under Secretary" shall mean respectively the Chief Secretary and Under Secretary to the Lord Lieutenant of Ireland.

Unlawful assemblies. **4.** Every assembly of persons who, without lawful authority in that behalf from Her Majesty, shall meet and parade together or join in procession, and who shall bear or have amongst them or any of them any fire-arms or other offensive weapons, and every procession or parading together of persons which may be calculated or tend to provoke animosity between different classes of Her Majesty's subjects, or to provoke a breach of the peace, or to promote, propagate, or encourage treason or sedition, shall be unlawful assemblies, and every person present thereat shall be guilty of a misdemeanor, and upon conviction thereof shall be punished accordingly; and every such unlawful assembly may be suppressed,

A.D. 1870.

dispersed, and dealt with in all respects as any riot may now by law be suppressed, dispersed, and dealt with.

Power to Lord Lieutenant to prohibit unlawful assemblies.

5. If it appears to the Lord Lieutenant that any persons intend to meet and parade together or join in procession, and if in the opinion of the Lord Lieutenant such meeting and parading together or joining in procession would be calculated or tend to provoke animosity between different classes of Her Majesty's subjects, or to provoke a breach of the peace, or to promote, propagate, or encourage treason or sedition, it shall be lawful for the Lord Lieutenant, by an order in that behalf signed by him or the Chief or Under Secretary, of which public notice shall be given by posting a copy thereof upon every police barrack or upon some other conspicuous place or places within the district to be affected by such proclamation, to prohibit such meeting and parading together or joining in procession, and if such meeting and parading together or joining in procession shall take place after the same shall be so prohibited the same shall be an unlawful assembly, and every person present thereat shall be guilty of a misdemeanor, and upon conviction thereof punished accordingly; and every such unlawful assembly as is in this section mentioned may be dispersed, suppressed, and dealt with in all respects as any riot may now by law be dispersed, suppressed, or dealt with.

Upon the trial of any indictment under this section for any such misdemeanor the question as to the sufficiency of such public notice shall be determined by the judge or justices presiding at such trial.

Repeal of 13 & 14 Vict. c. 2.

6. From and after the passing of this Act, the Act passed in the thirteenth year of the reign of Her present Majesty, chapter two, intituled "An Act to restrain party processions in Ireland," shall be and the same is hereby repealed.

Processions (Ireland).

A

BILL

To amend the Law relating to certain Processions in Ireland.

(Prepared and brought in by Mr. Chichester Fortescue and Mr. Solicitor General for Ireland.)

Ordered, by The House of Commons, *to be Printed,* 16 *June* 1870.

[Bill 170.]

Under 1 *oz.*

A

B I L L

FOR

The Protection of Inventions exhibited at International Exhibitions in the United Kingdom.

A.D. 1870.

WHEREAS it is expedient that such protection as is hereinafter mentioned should be afforded to persons desirous of exhibiting new inventions at exhibitions to be held in the United Kingdom:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows; (that is to say,)

Short title.

1. This Act may be cited as "The Protection of Inventions Act, 1870."

Exhibition of new inventions not to prejudice patent rights.

2. The exhibition of any new invention at any international exhibition shall not, nor shall the publication during the period of the holding of such exhibition of any description of such invention, nor shall the user of such invention for the purposes of such exhibition, and within the place where the same may be held, nor shall the user of such invention elsewhere by any person during the period of such exhibition without the privity and consent of the true and first inventor thereof, prejudice the right of the exhibitor thereof, he being the true and first inventor, within *six months* from the time of the opening of such exhibition, to leave at the office of the Commissioners of Patents a petition for the grant of letters patent for such invention and the declaration accompanying the same, and a provisional specification or a complete specification thereof, under The Patent Law Amendment Act, 1852, and the Acts amending the same, or to obtain provisional protection or letters patent for such invention in pursuance of those Acts, nor invalidate any letters patent which may be granted for such invention.

Exhibition of designs not to prejudice

3. The exhibition at any international exhibition of any new design capable of being registered provisionally under "The Designs

A.D. 1870.

right to registration.

Act, 1850," or of any article to which such design is applied, shall not, nor shall the publication during the period of the holding of such exhibition of any description of such design, prejudice the right of any person to register, provisionally or otherwise, such design, or invalidate any provisional or other registration which may be granted for such design.

Application of Act to international exhibitions in general.

4. The term " international exhibition " shall mean in this Act the Workmen's International Exhibition to be held in the year one thousand eight hundred and seventy; also any of the annual international exhibitions of select works of fine and industrial art and scientific inventions to be held in the year one thousand eight hundred and seventy-one and succeeding years, under the direction of Her Majesty's Commissioners for the Exhibition of one thousand eight hundred and fifty-one; also any international exhibition which the Board of Trade may, upon the application of any persons desirous of holding such exhibition, certify to be in their judgment calculated to promote British art or industry, and to prove beneficial to the mercantile or industrious classes of her Majesty's subjects.

Protection of Inventions.

A

B I L L

For the Protection of Inventions exhibited at International Exhibitions in the United Kingdom.

(*Prepared and brought in by Mr. Attorney General and Mr. Solicitor General.*)

Ordered, by The House of Commons, *to be Printed,* 9 *June* 1870.

[Bill 157.]

Under 1 *oz.*

A

B I L L

TO

Empower Committees on Bills confirming Provisional Orders to award Costs and examine Witnesses on Oath. A.D. 1870.

WHEREAS it is expedient to empower Committees of both Houses of Parliament to award costs in certain cases, and also to empower Committees of the House of Commons to administer oaths to witnesses in certain cases not already provided for:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Power to committees of either House of Parliament on bills comprising provisional orders to award costs.

1. Any Select Committee of either House of Parliament to which any Bill for confirming Provisional Orders has been referred in relation to any Provisional Order therein contained may award costs in like manner and subject to the same conditions as costs may be awarded by any Select Committee empowered to award costs by the Act of the twenty-eighth Victoria, chapter twenty-eight, and the provisions of the said Act so far as they are applicable shall apply to such Select Committees and to the matters so referred to them.

Power to such committees of House of Commons to examine witnesses upon oath.

2. Any Select Committee of the House of Commons to which any Bill for confirming Provisional Orders has been referred in relation to any Provisional Order therein contained may examine witnesses upon oath in like manner as any Select Committee to which any Private Bill has been referred may administer oaths under the Act of the twenty-second Victoria, chapter seventy-eight, and the provisions of the said Act so far as they are applicable shall apply to any Select Committee to which any such Bill has been referred as aforesaid and to the oaths administered by such Committee.

[Bill 19.]

Provisional Orders Bills (Committees).

A

B I L L

To empower Committees on Bills confirming Provisional Orders to award Costs and examine Witnesses on Oath.

(*Prepared and brought in by Mr. Dodson and Colonel Wilson Patten.*)

Ordered, by The House of Commons, *to be printed,* 14 *February* 1870.

[Bill 19.]

Under 1 *oz.*

A

B I L L

TO

Confirm Provisional Orders under the "Public Health (Scotland) Act, 1867," relating to the Burghs of Brechin and Fraserburgh. A.D. 1870.

WHEREAS the Secretary of State for the Home Department, being one of Her Majesty's Principal Secretaries of State, has, under the provisions of the "Public Health (Scotland) Act, 1867," duly made the Provisional Orders which are contained in the Schedule to this Act annexed, and it is provided by the said Act that no such Order shall be of any validity unless the same has been confirmed by Act of Parliament, and it is expedient that the said Orders should be so confirmed:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Confirmation of Provisional Orders.

1. The Provisional Orders contained in the Schedule to this Act annexed shall be and are hereby confirmed, and all the provisions thereof shall, from and after *the passing of this Act*, be valid and have the like force and effect as if the same were specially enacted in this Act.

Short title.

2. This Act may be cited as "The Public Health (Scotland) Supplemental Act, 1870."

SCHEDULES referred to in this Act.

BRECHIN.

Public Health (Scotland) Act, 1867.

(30 & 31 Vict. c. 101.)

WHEREAS by "The Public Health (Scotland) Act, 1867," it is inter alia enacted, section 89, that with respect to the improvement of burghs having a population of less than ten thousand, according to the census last taken, and not having a local Act for police purposes, "the local authority, if "they think it expedient so to do, may acquire and provide or arrange for a "supply of water for the domestic use of the inhabitants, and for that purpose "may conduct water from any lake, river, or stream, may dig wells, make and "maintain reservoirs, may purchase, take upon lease, hire, construct, lay down, "and maintain such waterworks, pipes, and premises, and do and execute all "such works, matters, and things as shall be necessary and proper for the "aforesaid purpose, and may themselves furnish a supply of water, or contract "or arrange with any other person to furnish the same; and for the purposes "aforesaid the local authority shall be held to have all the powers and rights "given to promoters of undertakings by the Lands Clauses Acts; provided "always, that they shall make reasonable compensation for the water so taken "by them, and for the damage which may be done to any lands by reason of "the exercise of the powers hereby conferred, in terms of the said Acts:"

And whereas it is further provided by the said Act, section 90, that upon compliance with the provisions and regulations therein contained with respect to advertisements and notices, the local authority may present to one of Her Majesty's Principal Secretaries of State a petition stating the land intended to be taken, and the purposes for which it is required, and the names of the owners, lessees, and occupiers of such land who have assented, dissented, or are neuter in respect of the taking of such land, or who have returned no answer to the notice, and praying that the local authority may, with reference to the land so intended to be taken, be allowed to put in force the powers of the Lands Clauses Acts with respect to the purchase and taking of land otherwise than by agreement, and that on the receipt of such petition, and proof of the proper advertisements having been published and notices served, the Secretary of State may direct an inquiry in the district in which the land is situate, or otherwise inquire as to the propriety of assenting to the prayer of such petition; and after the completion of such inquiry the Secretary of State may, by Provisional Order, empower the local authority to put in force, with reference to the land referred to in such Order, the powers of the Lands Clauses

Acts with respect to the purchase and taking of land otherwise than by agreement, or any of them: A.D. 1870.

And whereas the magistrates and council of the burgh of Brechin, in the county of Forfar (which burgh contains less than ten thousand inhabitants), as commissioners of police of the said burgh under "The General Police and Improvement (Scotland) Act, 1862," are the local authority within the said burgh under the "Public Health (Scotland) Act, 1867:"

And whereas a petition under the provisions of the "Public Health (Scotland) Act, 1867," has been presented to me as one of Her Majesty's Principal Secretaries of State by the said magistrates and council as commissioners of police of the said burgh, setting forth that the present supply of water to the said burgh is insufficient, and it would be of great advantage to the inhabitants of the said burgh if the petitioners were authorised to obtain an additional supply of water under the provisions of "The General Police and Improvement (Scotland) Act, 1862," and the "Public Health (Scotland) Act, 1867;" that for the purpose of supplying such water to the said burgh it would be necessary for the petitioners to acquire certain lands, springs, and streams described on the plan and in the book of reference herein-after mentioned, under the provisions of "The Lands Clauses Consolidation (Scotland) Act, 1845," and "The Lands Clauses Consolidation Acts Amendment Act, 1860," which Acts are herein termed and referred to as "the Lands Clauses Acts," with respect to the purchase and taking of lands otherwise than by agreement; and that the petitioners had published the advertisements and served the notices required by the ninetieth section of the first-recited Act; and the said petition prayed that a Provisional Order might be made empowering the petitioners to put in force the said provisions of the Lands Clauses Acts with respect to the said lands, springs, and streams:

And whereas due inquiry having been directed and held in respect of the matters mentioned in the said petition, I have resolved to grant the prayer thereof; and a plan describing the waterworks to be constructed, and the lands, springs, and streams intended to be taken for the purposes thereof, and a book of reference to such plan containing the names of the owners or reputed owners, lessees or reputed lessees, and occupiers of such lands, springs, and streams, have been signed by me with reference to this Order, and will be deposited with the sheriff clerk of the county of Forfar, at his office in Forfar:

Now, therefore, in pursuance of the powers vested in me by the "Public Health (Scotland) Act, 1867," I, as one of Her Majesty's Principal Secretaries of State, do, by this Provisional Order under my hand, direct that from and after the passing of any Act of Parliament confirming the same:—

1. It shall be lawful for the magistrates and council of Brechin as commissioners of police of the said burgh of Brechin, and as such the local authority within the said burgh, to put in force, with reference to the lands, springs, and streams described on the said plan and in the said book of reference, the provisions of the Lands Clauses Acts with respect to the purchase and taking of lands otherwise than by agreement.

2. The words "promoters of the undertaking" in the Lands Clauses Acts shall be held to mean and include the magistrates and council of Brechin as

A.D. 1870.

commissioners of police of the said burgh, and as such the local authority within the said burgh under the "Public Health (Scotland) Act, 1867;" and the word "lands" in this Provisional Order shall have the meaning assigned to it in the Lands Clauses Acts, and shall include water and the right thereto.

Given under my hand and seal at Whitehall this 24th day of June one thousand eight hundred and sixty-nine.

H. A. Bruce. (L.S.)

FRASERBURGH.

Public Health (Scotland) Act, 1867.

Whereas by the "Public Health (Scotland) Act, 1867," it is, inter alia, enacted, section 89, that, with respect to the improvement of burghs having a population of less than ten thousand according to the census last taken, and not having a local Act for police purposes, "the local authority, if "they think it expedient so to do, may acquire and provide or arrange for a "supply of water for the domestic use of the inhabitants, and for that pur- "pose may conduct water from any lake, river or stream, may dig wells, "make and maintain reservoirs, may purchase, take upon lease, hire, construct, "lay down and maintain such waterworks, pipes and premises, and do and "execute all such works, matters, and things as shall be necessary and proper "for the aforesaid purpose; and may themselves furnish a supply of water, or "contract or arrange with any other person to furnish the same; and for the "purposes aforesaid the local authority shall be held to have all the powers "and rights given to promoters of undertakings by the Lands Clauses Acts; "provided always, that they shall make reasonable compensation for the water "so taken by them, and for the damage which may be done to any lands by "reason of the exercise of the powers hereby conferred in terms of the said "Acts:"

And whereas it is further provided by the said Act, section 90, that, upon compliance with the provisions and regulations therein contained with respect to advertisements and notices, the local authority may present to one of Her Majesty's Principal Secretaries of State a petition stating the land intended to be taken, and the purposes for which it is required, and the names of the owners, lessees and occupiers of such land who have assented, dissented, or are neuter in respect of the taking of such land, or who have returned no answer to the notice; and praying that the local authority may, with reference to the land so intended to be taken, be allowed to put in force the powers of the Lands Clauses Acts with respect to the purchase and taking of land otherwise than by agreement, and that on the receipt of such petition, and proof of the proper advertisements having been published and notices served, the Secretary of State may direct an inquiry in the district in which the land is situate, or otherwise inquire as to the propriety of assenting to the prayer of such petition; and after the completion of such inquiry the Secretary of State may, by Provisional Order, empower the local authority to put in force, with

reference to the land referred to in such Order, the powers of the Lands Clauses Acts with respect to the purchase and taking of land otherwise than by agreement, or any of them:

And whereas the commissioners of police of the burgh of barony of Fraserburgh in the county of Aberdeen (which contains less than ten thousand inhabitants), under "The General Police and Improvement (Scotland) Act, 1862," (herein-after called "the commissioners") are the local authority within the said burgh of barony under the "Public Health (Scotland) Act, 1867:"

And whereas a petition under the provisions of the "Public Health (Scotland) Act, 1867," has been presented to me, as one of Her Majesty's Principal Secretaries of State, by the commissioners, setting forth—(1), that the commissioners intend, under the provisions of the said Act, to bring a supply of water to the town of Fraserburgh from the stream of Mid Ardlaw, called the Glashiemyre Burn, by means of an aqueduct with branch drains; (2), that, for the purpose of supplying such water to the said town, it would be necessary for the commissioners to acquire certain lands described on the plan therein mentioned, being the plan marked No. 1 herein-after mentioned, and also described in the book of reference herein-after mentioned, under the provisions of "The Lands Clauses Consolidation (Scotland) Act, 1845," and "The Lands Clauses Consolidation Acts Amendment Act, 1860," which Acts are herein termed and referred to as "the Lands Clauses Acts," with respect to the purchase and taking of lands otherwise than by agreement, and that the commissioners had published the advertisements and served the notices required by the 90th section of the first-recited Act; and the said petition prayed that a Provisional Order might be made enabling the commissioners to put in force the said provisions of the Lands Clauses Acts with respect to the said lands:

And whereas due inquiry having been directed and held in respect of the matters mentioned in the said petition, I have resolved to grant the prayer thereof, but subject to the conditions and modifications after specified; and two plans, marked respectively "No. 1" and "No. 2," describing the waterworks to be constructed and the lands intended to be taken for the purposes thereof, and a book of reference to the said plans containing the names of the owners or reputed owners, lessees or reputed lessees and occupiers of such lands, have been signed by me with reference to this Order, and have been deposited with the sheriff clerk of the county of Aberdeen at his office in Peterhead:

Now, therefore, in virtue of the powers vested in me by the "Public Health (Scotland) Act, 1867," I, as one of Her Majesty's Principal Secretaries of State, do, by this Provisional Order under my hand, direct that from and after the passing of any Act of Parliament confirming the same:—

1. It shall be lawful for the commissioners as the local authority within the said burgh of barony of Fraserburgh, to put in force, with reference to the lands described on the said two plans and in the said book of reference, the provisions of the Lands Clauses Acts with respect to the purchase and taking of lands otherwise than by agreement.

2. With reference to this Order the following expressions in the Lands Clauses Acts shall have the meanings hereby assigned to them; that is to say, the expression "promoters of the undertaking" shall mean the commissioners,

A.D. 1870.

and the expression "the Special Act" shall mean this Order and the Act confirming the same; and the word "lands" in this Order shall have the meaning assigned to it in the Lands Clauses Acts, and shall include water and the right thereto.

3. The works described on the said plans shall be executed as shown on the said plan marked "No. 1": Provided always, that with respect to the lands of Mid Ardlaw the said works may be executed as shown on the said plan marked "No. 2," if the owner of the said lands shall signify to the commissioners in writing his desire to that effect within fourteen days after an application in writing by the clerk to the commissioners is delivered to him personally or forwarded by post in a registered letter to his usual or last known address; provided also, that the commissioners shall provide and cause to flow in the course of the Glashiemyre Burn a supply of water at no time less than ten thousand gallons in every twenty-four hours, which shall enter the said burn at or close to a point marked A on the said plan marked "No. 2;" and the works in connexion with the supply of water to the said burn shall be executed to the satisfaction of Allan Duncan Stewart, civil engineer, Edinburgh, and, failing him, of any other civil engineer to be nominated by the sheriff of Aberdeenshire on the application of the commissioners.

4. In constructing the works described on the said plans, the commissioners may deviate from the lines laid down thereon to any extent not exceeding ten yards from the said lines respectively, provided the said works, by means of such deviation, be not made to extend into the lands of any person, whether owner, lessee, or occupier, whose name is not mentioned in the said book of reference, without the previous consent in writing of such person.

Given under my hand and seal at Whitehall this 7th day of May 1870.

H. A. BRUCE. (L.S.)

Public Health (Scotland) Supplemental.

A

B I L L

To confirm Provisional Orders under the "Public Health (Scotland) Act, 1867," relating to the Burghs of Brechin and Fraserburgh.

(*Prepared and brought in by The Lord Advocate and Mr. Adam.*)

Ordered, by The House of Commons, *to be Printed*, 20 *May* 1870.

[Bill 136.]

Under 1 *oz.*

Public Prosecutors Bill.

ARRANGEMENT OF CLAUSES.

Preliminary.

Clauses.
1. Short title.
2. Extent of Act.
3. Commencement of Act.
4. Interpretation.

PART I.

Public prosecution of indictable offences.

5. Authorities and duties of public prosecutors appointed under this Act.
6. Information of offences to be given to public prosecutor.
7. Reference by public prosecutors to circuit counsel.
8. Authorities and duties of circuit counsel.
9. Control of prosecutions by Her Majesty's Attorney General.
10. Saving of right of private prosecution.

PART II.

Appointment of public prosecutors and circuit counsel.

11. Manner of appointing public prosecutors.
12. Duration and tenure of office of public prosecutors.
13. Public prosecutors to have offices and clerks, and to furnish returns.
14. Salaries of public prosecutors.
15. Restriction on criminal practice of public prosecutors.
16. Appointment of circuit counsel.

Supplemental provisions.

17. Rules may be issued for the guidance of public prosecutors.
18. Amendment of records unnecessary.

Clauses.
19. Costs of prosecutions by public prosecutor.
20. Additional allowances to witnesses.
21. Provision for cases arising wholly or in part out of the district of a public prosecutor.
22. Saving of prosecutions by the Treasury, &c.
23. Evidence of the appointment of a public prosecutor.
24. Exemption from stamp duty.

A

B I L L

TO

Provide for the appointment of Public Prosecutors, and for the more effectual prosecution of indictable offences. A.D. 1870.

WHEREAS it is expedient to provide for the appointment of public prosecutors, and otherwise for the more effectual prosecution of indictable offences:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Preliminary.

1. This Act may be cited as the "Public Prosecution of Crimes Act, 1870." Short title.

2. This Act shall not extend to Scotland or Ireland. Extent of Act.

3. This Act shall not come into operation until *the First day of September One thousand eight hundred and seventy.* Commencement of Act.

4. In this Act, unless the context otherwise requires, the words and expressions following have the meanings herein-after respectively assigned to them; that is to say, Interpretation.

"District" means the district in and for which any public prosecutor is appointed in pursuance of the provisions of this Act:

"Justices" means any one or more justices, and any police or stipendiary magistrate having power to take examinations of witnesses against persons charged before him or them with any indictable offence:

"Her Majesty's Attorney General" includes Her Majesty's Solicitor General.

PART I.

Public prosecution of indictable offences.

5. Where a public prosecutor is appointed for any district in pursuance of the provisions of this Act, it shall be his duty to institute and conduct prosecutions for indictable offences committed Authorities and duties of public prosecutor ap-

A.D. 1870.

Appointed under this Act.

or alleged to have been committed within his district in the manner and subject to the conditions following; that is to say,

(1.) Where he is informed of any felony or of any misdemeanor in respect of the prosecution whereof costs are allowable by law, alleged to have been committed by any person, he may make inquiry respecting the same, and if it appears to him that there is reasonable ground for prosecuting such person he may institute a prosecution accordingly, or if a prosecution has already been instituted by a private prosecutor, he may intervene in such prosecution at any stage thereof, and whether or not he has previously declined to prosecute or intervene, and shall thereupon assume the conduct and control of such prosecution:

(2.) In the case of any indictable offence in respect of the prosecution whereof costs are not allowable by law, he may, in his discretion, upon the person accused being committed, bailed, or detained in custody by justices to take his trial for such offence, or upon a bill of indictment being found against such person by a grand jury for such offence, intervene and assume the further conduct and control of the prosecution, but he shall not of himself commence any prosecution for any such offence unless by the direction or previous allowance of a court of law or equity or a judge thereof, or of one of Her Majesty's Principal Secretaries of State, or of Her Majesty's Attorney General, and he shall not intervene at the hearing before justices of an information for any such offence unless by such direction or allowance as aforesaid, or unless he is required so to intervene by the justices before whom such information is heard:

(3.) He may, if he think fit, before commencing a prosecution for any offence upon information given to him by any person, require such person to lay an information upon oath before justices of the peace against the person accused of the offence:

(4.) Where he institutes or intervenes in any prosecution, he shall by himself, or his deputies or agents, take all such measures for the collection and preparation of evidence, and for preparing and preferring an indictment, and for instructing counsel and otherwise, as may be necessary for the effectual conduct of the prosecution:

(5.) He may, if it appears to him at any stage of a prosecution which he has instituted or in which he has intervened, that there is no reasonable probability of the accused person

being convicted, or that for any other reason the case ought not to be further prosecuted by him, withdraw from the further conduct thereof.

Information of offences to be given to public prosecutors.

6. Information respecting indictable offences supposed to have been committed by any person may or shall be given to the proper public prosecutor, as follows:—

(1.) Where, in the course of any judicial proceedings in any court of law, equity, or bankruptcy, it appears to the court that there is reason to believe that any indictable offence has been committed by any person, such court may certify to the proper public prosecutor a statement of the facts appearing to such court, and of the names and addresses of any persons appearing to be able to depose to the same:

(2.) Where any charge, information, or complaint is made before justices against any person for any indictable offence, the clerk to such justices shall forthwith transmit to the public prosecutor for the district a report of such charge, information, or complaint, or, if the same is in writing, a copy thereof:

(3.) Where any person is committed, bailed, or detained in custody by justices to take his trial for any indictable offence, the clerk to such justices shall forthwith transmit to the proper public prosecutor a copy of all the depositions in the case, with such other documents or matter as he thinks necessary, or as he may be required by such justices or by the public prosecutor so to transmit:

(4.) Where any private prosecutor intends to prefer a bill of indictment for any indictable offence before a grand jury against any person who has not been committed, bailed, or detained in custody by justices to take his trial for such offence, he shall, not less than three clear days before preferring such bill, leave or cause to be delivered a copy of such bill of indictment, or a statement of the substance thereof, at the office of the proper prosecutor; and no bill of indictment shall in any case where the person accused has not been so committed, bailed, or detained, be considered or found by any grand jury in respect of any indictable offence alleged to have been committed in a district for which a public prosecutor has been appointed, unless either it be proved to them by endorsement on the bill or such other evidence as they may think satisfactory, that the provisions of this section in this behalf have been complied with, or such bill of indictment

A.D. 1870.

be presented with the consent of the court in or before which the same is preferred:

(5.) Where it appears upon the finding of a coroner's inquest that an indictable offence has been committed by any person, the coroner shall certify the fact, with a copy of any depositions taken before him, to the public prosecutor of the district where such offence appears to be cognizable.

Reference by public prosecutor to circuit counsel.

7. Where a circuit counsel has been appointed in pursuance of the provisions of this Act for the circuit including the district of any public prosecutor, such public prosecutor may, in any case appearing to him to involve questions of unusual difficulty as to the propriety of instituting or of withdrawing from a prosecution, take the opinion and shall conform to the directions of such counsel on the case; and in any case when he discontinues a prosecution without the sanction of such counsel he shall report to such counsel the grounds of such discontinuance.

Authorities and duties of circuit counsel.

8. Where a circuit counsel is appointed in pursuance of the provisions of this Act, he shall have the authorities and duties following; namely,

(1.) He shall advise the public prosecutor on all matters on which he may be consulted by the public prosecutor in pursuance of the provisions of this Act, or in which he may otherwise see reason to interfere:

(2.) He may, if in any case he thinks fit, and shall if required by Her Majesty's Attorney General, refer any such matter to Her Majesty's Attorney for his directions thereon.

Control of prosecutions by Her Majesty's Attorney General.

9. It shall be lawful for Her Majesty's Attorney General to require the officer or person in whose custody or control any depositions taken in the case of any person charged with an indictable offence may be, to transmit to him such depositions or a copy thereof, and such Attorney General may issue his directions thereon to any circuit counsel or public prosecutor, whether as to the institution or conduct of any prosecution, or as to withdrawing therefrom, and may, if in any case he think fit, by requisition under his hand addressed to the solicitor of Her Majesty's Treasury, require such case to be prosecuted at the public expense by or on behalf of Her Majesty's Treasury, and such case shall be prosecuted accordingly.

Saving of right of private prosecution.

10. Where a public prosecutor institutes or intervenes in a prosecution of any person for an indictable offence, no other person shall thereafter be admitted as of right to be heard in or anywise to interfere in such prosecution, except as a witness only.

Provided that—

(1.) The person aggrieved by or who has commenced a prosecution for such offence may be associated in the prosecution with the public prosecutor by the consent of such public prosecutor:

(2.) Where the public prosecutor, having intervened in a prosecution commenced by a private prosecutor, afterwards of his own discretion, or by direction of a circuit counsel, or of Her Majesty's Attorney General, withdraws from such prosecution, he shall notify such withdrawal to the private prosecutor, and such private prosecutor may thereupon resume or recommence his prosecution in all respects as if this Act had not passed; but in such case if he fail in his prosecution he shall not be allowed any costs in respect thereof:

(3.) Where a public prosecutor intervenes after any prosecution has been commenced by a private prosecutor, any costs previously incurred by such private prosecutor or his witnesses shall be allowable to such private prosecutor or his witnesses in the same manner as if this Act had not passed:

(4.) Nothing in this Act shall be construed to prevent any private prosecutor from prosecuting in all respects as if this Act had not passed in any case where the public prosecutor does not institute or intervene in a prosecution.

Part II.

Appointment of public prosecutors and circuit counsel.

Manner of appointing public prosecutors.

11. It shall be lawful for one of Her Majesty's Principal Secretaries of State, in his discretion, from time to time to appoint an attorney or solicitor of not less than ten years standing to be the public prosecutor in and for the district of any county, riding, division of a county, or liberty, or in and for the district of any borough having a separate court of quarter sessions, or in and for the district of any one or more petty sessional divisions of a county, riding, division of a county, or liberty: Provided that—

(1.) Any liberty, and any borough having a separate court of quarter sessions, may, if such Secretary of State think fit, be included with any adjoining petty sessional or quarter or general sessional divisions or division as one district for the purposes of this Act:

A.D. 1870.

(2.) The district of the Central Criminal Court may be constituted into such and so many districts for the purposes of this Act as such Secretary of State thinks fit, and any districts to be constituted for the purposes of this Act in the counties of Essex, Kent, and Surrey shall be exclusive of any such portions of the said counties as are or may be included in the district of the said court:

(3.) Such Secretary of State, in appointing a public prosecutor for any district not included in the district of the Central Criminal Court, may, in respect of the person to be appointed as public prosecutor, have regard to the recommendation, if any, of the council or other governing body where the district or the principal part thereof is a borough having a separate court of quarter sessions, and in other cases to the recommendation, if any, of the justices of the peace in general or quarter sessions for the county, riding, liberty, or division of a county, in which the district or the principal part thereof is situate.

Duration and tenure of office of public prosecutors.

12. Such appointment of a public prosecutor shall not be made for a longer period than five years, but may be renewed from time to time, or a new appointment may be made, subject in every such case of renewal or new appointment to the provisions of this Act as to a first appointment. Every public prosecutor appointed in pursuance of the provisions of this Act shall be removable at pleasure by one of Her Majesty's Principal Secretaries of State.

Public prosecutors to have offices and clerks, and to furnish returns.

13. Every public prosecutor appointed in pursuance of the provisions of this Act shall provide a proper office and a sufficient clerk or clerks. He shall furnish to the Lord Chancellor such returns of such particulars and at such times as the Lord Chancellor may from time to time require, and such returns shall be laid before both Houses of Parliament.

Salaries of public prosecutors.

14. *There shall be paid out of the Consolidated Fund to a public prosecutor appointed in pursuance of the provisions of this Act such salary as may from time to time be determined by one of Her Majesty's Principal Secretaries of State, with the consent of the Treasury, and such further allowance in respect of offices and clerks as may from time to time be determined in like manner.*

A public prosecutor shall not be entitled to any compensation in respect of the abolition of his office, or of his removal therefrom, or of any reduction in the salary or alteration of the duties thereof.

A.D. 1870.

15. A public prosecutor shall not, by himself or by his partner, act as a clerk of the peace or as a clerk to justices. He shall not, by himself or his partner, be employed or concerned otherwise than as public prosecutor, in any criminal prosecution within or arising out of the district in and for which he is appointed.

Restriction on criminal practice of public prosecutors.

16. It shall be lawful for one of Her Majesty's Principal Secretaries of State to appoint a barrister-at-law of not less than ten years standing to be circuit counsel for any circuit, *and to fix the salary of any such circuit counsel, with the consent of the Treasury, and the salary of any such circuit counsel shall be payable out of the Consolidated Fund.*

Appointment of circuit counsel.

A circuit counsel appointed in pursuance of the provisions of this Act shall be removable by one of Her Majesty's Principal Secretaries of State at his pleasure. A circuit counsel shall not advise or be concerned in any criminal prosecution within the circuit for which he is appointed.

Part III.

Supplemental Provisions.

17. One of Her Majesty's Principal Secretaries of State may from time to time issue rules and regulations for the guidance of public prosecutors and their deputies or agents, which rules shall be binding on them as if the same were incorporated in this Act.

Rules may be issued for the guidance of public prosecutors.

18. Where a public prosecutor intervenes in any prosecution in pursuance of the provisions of this Act, or where a private prosecutor, in a case from which the public prosecutor has withdrawn after intervention, resumes the prosecution in his own name, it shall not be necessary to amend any record or other document or proceeding, whether antecedent or subsequent to such intervention, nor to enter any suggestion on the record, but the name or designation, either of the original prosecutor or of the public prosecutor, or the names or designations of both, shall be sufficient.

Amendment of records unnecessary.

19. *Every public prosecutor prosecuting in pursuance of the provisions of this Act shall be entitled to the expenses of himself or his agent or deputy, and of his witnesses (except compensation to himself, his deputies or agents, for trouble or loss of time), in the same manner as other prosecutors, and such expenses shall be ascertained, allowed, paid, and borne accordingly; and where a public prosecutor institutes or intervenes in a prosecution for any indictable offence, in respect of the prosecution whereof costs are not now allowable by law, all expenses shall, except as aforesaid, be allowable, and shall be ascertained, allowed, paid, and borne as expenses*

Costs of prosecutions by public prosecutor.

A.D. 1870.

of prosecutions in cases of felony are ascertained, allowed, paid, and borne.

Additional allowances to witnesses.

20. *In any case where the expenses allowable to any witnesses for a prosecution under any regulations in force with respect to such expenses are certified by a public prosecutor by a certificate endorsed or countersigned by the justices before whom such witnesses are examined, or by the clerk of the court before which the trial is had, to be insufficient to meet the actual and proper expenses of such witnesses, such additional expenses as may be specified in such certificate as endorsed or countersigned as aforesaid shall be allowed and paid in the same manner as the other expenses of such witnesses are allowed and paid.*

Provision for cases arising wholly or in part out of the district of a public prosecutor.

21. For the purposes of this Act, in the case of an indictable offence committed partly in one district and partly in another, or triable in any of several counties, places, or districts, the public prosecutor for any of such districts, counties, or places may take cognizance of and prosecute such offence in all respects as if the same had been committed wholly within his district; and in the case of an indictable offence triable, though not committed, in England or Wales, the public prosecutor for any place where the person accused is found or apprehended, or may lawfully be tried, may take cognizance of and prosecute such offence in all respects as if the same had been committed within his district.

Saving of prosecutions by the Treasury, &c.

22. Nothing in this Act contained shall be construed to prohibit or interfere with any prosecution instituted or prosecuted by the solicitor to Her Majesty's Treasury, or with any information, complaint, or other proceeding under or by virtue of any of the statutes relating to Her Majesty's revenue of excise or customs, stamps, taxes, or post office; provided that any such prosecution may be instituted or conducted by a public prosecutor authorized in that behalf by the said solicitor, or by the authority empowered to direct prosecutions for offences against any of the said statutes.

Evidence of the appointment of a public prosecutor.

23. An appointment of any person as public prosecutor for any district, purporting to be signed by one of Her Majesty's Principal Secretaries of State, shall for all purposes be evidence of the appointment of such person as the public prosecutor for the district named in the appointment.

Exemption from stamp duty.

24. An appointment of a public prosecutor, or of a circuit counsel, made in pursuance of the provisions of this Act, shall not be subject to stamp duty.

Public Prosecutors.

A

B I L L

To provide for the appointment of Public Prosecutors, and for the more effectual prosecution of indictable offences.

(*Prepared and brought in by Mr. Eykyn, Mr. Vernon Harcourt, Mr. Rathbone, and Viscount Sandon.*)

Ordered, by The House of Commons, *to be Printed,* 22 *February* 1870.

[Bill 45.]

Under 2 *oz*

Public Prosecutors Bill.

[AS AMENDED BY THE SELECT COMMITTEE.]

ARRANGEMENT OF CLAUSES.

Preliminary.

Clauses.
1. Short title.
2. Extent of Act.
3. Commencement of Act.
4. Interpretation.

PART I.

Public prosecution of indictable offences.

5. Authorities and duties of public prosecutors appointed under this Act.
6. Information of offences to be given to public prosecutor.
7. Public prosecutors to conform to directions of counsel for public prosecutions.
8. Control of prosecutions by Her Majesty's Attorney General.
9. Saving of right of private prosecution.

PART II.

Appointment of public prosecutors and of counsel for public prosecutions.

10. Appointment of public prosecutors.
11. Duration and tenure of office of public prosecutors.
12. Public prosecutors to have offices and clerks, and to furnish returns.
13. Salaries of public prosecutors.
14. Restriction on private practice of public prosecutors in criminal cases.
15. Appointment of counsel for public prosecutions.
16. Tenure and conditions of office of counsel for public prosecutions.
17. Rules to be made for guidance of public prosecutors and of counsel for public prosecutions.

PART III.

Supplemental provisions.

Clauses.

18. Supplemental provisions as to appointments of public prosecutors.
19. Costs of prosecutions by public prosecutor.
20. Additional allowances to witnesses.
21. Provision for cases arising wholly or in part out of the district of a public prosecutor.
22. Limitation of actions against public prosecutors.
23. Saving of prosecutions by the Treasury, &c.
24. Provision in case of illness or incapacity.
25. Evidence of the appointment of a public prosecutor.
26. Exemption from stamp duty.

A

B I L L

[AS AMENDED BY THE SELECT COMMITTEE]

TO

Provide for the appointment of Public Prosecutors, and for the more effectual prosecution of indictable offences. A.D. 1870.

WHEREAS it is expedient to provide for the appointment of public prosecutors, and otherwise for the more effectual prosecution of indictable offences:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Preliminary.

1. This Act may be cited as the "Public Prosecution of Crimes Act, 1870." Short title.

2. This Act shall not extend to Scotland or Ireland. Extent of Act.

3. This Act shall not come into operation until *the First day of June One thousand eight hundred and seventy-one*, except so far as is necessary for the constitution of districts, and for the recommendation of persons to be appointed as public prosecutors. Commencement of Act.

4. In this Act, unless the context otherwise requires, the words and expressions following have the meanings herein-after respectively assigned to them; that is to say, Interpretation.

"District" means the district in and for which any public prosecutor is appointed in pursuance of the provisions of this Act:

"Justices" means any one or more justices and any police or stipendiary magistrate having power to take examinations of witnesses against persons charged before him or them with any indictable offence:

"Her Majesty's Attorney General" includes Her Majesty's Solicitor General.

PART I.

Public prosecution of indictable offences.

5. Where a public prosecutor is appointed for any district in pursuance of the provisions of this Act, it shall be his duty to Authorities and duties of public pro-

A.D. 1870.

Prosecutor appointed under this Act.

institute and conduct prosecutions for indictable offences committed or alleged to have been committed within his district in the manner and subject to the conditions following; that is to say,

(1.) When any person is committed, bailed, or detained in custody to take his trial for an indictable offence, the public prosecutor shall undertake the further prosecution of such person, and shall take all such measures for the collection and preparation of evidence, and for preparing an indictment, and for instructing counsel, and otherwise as may be necessary for the effectual conduct of the prosecution:

(2.) Upon the hearing of an information against any person for an indictable offence, and before such person has been committed, bailed, or detained in custody to take his trial for such offence, the public prosecutor shall, if required by the justices before whom the information is heard, or by Her Majesty's Attorney General, assume the conduct of the case before the justices, and take all necessary steps in relation thereto:

(3.) The public prosecutor shall, if so directed in any case by a judge of a court of law or equity, or by Her Majesty's Attorney General, or by the justices in general, quarter, or petty sessions assembled, lay an information against a person alleged to have committed an indictable offence, whether or not an information or bill of indictment has previously been laid or preferred by any other person for such offence against the person alleged to have committed the same:

(4.) Where the public prosecutor has reason to believe that an indictable offence has been committed by any person, he may in his discretion lay an information against such person for such offence; provided that in such case unless he has previously obtained the consent of the counsel for public prosecutions herein-after mentioned, or of Her Majesty's Attorney General, he shall as soon as practicable inform such counsel of the fact and of the ground of the proceeding.

(5.) Where a bill of indictment is found by a grand jury on the prosecution of a person other than the public prosecutor, against a person who has not been committed bailed or detained in custody to take his trial for the offence in respect of which such bill is found, the court in which such bill is found may direct the public prosecutor to undertake the conduct of the prosecution:

A.D. 1870.

(6.) Remands may be made from time to time by justices, or a trial may be postponed by a court upon such conditions as to bail or otherwise as the justices or court think fit, in order to enable the public prosecutor to take the necessary steps for the prosecution in pursuance of this Act of the person charged:

(7.) The public prosecutor shall not withdraw from a prosecution which he has commenced or undertaken, unless with the consent of Her Majesty's Attorney General, or of one of the counsel for public prosecutions herein-after mentioned, or with the consent of the court before which the trial is to be had.

Information of offences to be given to public prosecutors.

6. Information respecting indictable offences supposed to have been committed by any person shall be given to the proper public prosecutor, as follows:—

(1.) Where any person is committed, bailed, or detained in custody by justices to take his trial for any indictable offence, the clerk to such justices shall forthwith transmit to the proper public prosecutor a copy of all the depositions in the case, with such other documents or matter as he thinks necessary, or as he may be required by such justices or by the public prosecutor so to transmit:

(2.) When a public prosecutor is required to undertake the conduct of a prosecution previously to any such person being so committed, bailed, or detained, the clerk to the justices shall furnish to the public prosecutor particulars of the information and copies of any depositions already taken in the case:

(3.) Where any private prosecutor intends to prefer a bill of indictment for any indictable offence before a grand jury against any person who has not been committed, bailed, or detained in custody by justices to take his trial for such offence, he shall, not less than three clear days before preferring such bill, leave or cause to be delivered a copy of such bill of indictment, or a statement of the substance thereof, at the office of the public prosecutor; and no bill of indictment shall in any case where the person accused has not been so committed, bailed, or detained, be considered or found by any grand jury in respect of any indictable offence alleged to have been committed in a district for which a public prosecutor has been appointed, unless either it be proved to them by endorsement on the bill, or such other evidence as they may think satis-

A.D. 1870.

factory, that the provisions of this section in this behalf have been complied with, or such bill of indictment be presented with the consent of the court in or before which the same is preferred :

(4.) Where it appears upon the finding of a coroner's inquest that an indictable offence has been committed by any person, the coroner shall certify the fact, with a copy of any depositions taken before him, to the public prosecutor of the district where such offence appears to be cognizable.

Public prosecutors to conform to directions of counsel for public prosecutions.

7. Where counsel for public prosecutions have been appointed in pursuance of the provisions of this Act, they shall advise and direct the public prosecutors on all matters as to which they may be consulted by the public prosecutors in pursuance of the provisions of this Act, or of regulations to be made in pursuance of the provisions of this Act, or in which they may otherwise see reason to interfere.

They may in any case of unusual difficulty refer the case to Her Majesty's Attorney General for his opinion and directions, through the Solicitor to Her Majesty's Treasury.

Every public prosecutor shall take the directions of the counsel for public prosecutions as to all matters with regard to which he may be so directed by regulations to be made in pursuance of the provisions of this Act, or by Her Majesty's Attorney General.

Control of prosecutions by Her Majesty's Attorney General.

8. It shall be lawful for Her Majesty's Attorney General to require the officer or person in whose custody or control any depositions taken in the case of any person charged with an indictable offence may be, to transmit to him such depositions or a copy thereof; and such Attorney General may in any case issue his directions to any counsel for public prosecutions or public prosecutor, whether as to the institution or conduct of any prosecution, or as to withdrawing therefrom, and it shall be lawful for Her Majesty's Attorney General, if in any case he see fit to do so, to conduct any prosecution in person, or to name a barrister-at-law to conduct the same on his behalf.

Saving of right of private prosecution.

9. Where a public prosecutor institutes or intervenes in a prosecution of any person for an indictable offence, no other person shall thereafter be admitted as of right to be heard in or anywise to interfere in such prosecution, except as a witness only.

Provided that—

(1.) The person aggrieved by or who has commenced a prosecution for such offence may be associated in the prosecution with the public prosecutor by the consent of such public prosecutor :

(2.) Where the public prosecutor, having intervened in a prosecution commenced by a private prosecutor, afterwards of his own discretion, or by direction of a counsel for public prosecutions, or of Her Majesty's Attorney General, withdraws from such prosecution, he shall notify such withdrawal to the private prosecutor, and such private prosecutor may thereupon resume or recommence his prosecution in all respects as if this Act had not passed:

(3.) Where a public prosecutor intervenes after any prosecution has been commenced by a private prosecutor, any costs previously incurred by such private prosecutor or his witnesses shall be allowable to such private prosecutor or his witnesses in the same manner as if this Act had not passed:

(4.) Nothing in this Act shall be construed to prevent any private prosecutor from prosecuting in all respects as if this Act had not passed in any case where the public prosecutor does not institute or intervene in a prosecution.

(5.) Where a private prosecutor resumes or recommences a prosecution from which a public prosecutor has withdrawn, or continues a prosecution in which the public prosecutor, having authority under the provisions of this Act to intervene therein, has not intervened, if the private prosecutor fail in the prosecution he shall not be allowed any costs or expenses in respect thereof, unless the court, in its discretion, so orders, and the court before which the trial is had may, in its discretion, order the reasonable costs and expenses of the accused person, as ascertained by taxation by the proper officer of the court, to be paid by such private prosecutor, and any such order may be made a rule of any of the superior courts of law at Westminster, and may be enforced by execution or other process of such superior court of law.

Part II.

Appointment of public prosecutors and of counsel for public prosecutions.

Appointment of public prosecutors.

10. It shall be lawful for one of Her Majesty's Principal Secretaries of State from time to time to constitute and alter districts for the purposes of this Act throughout England and Wales, and to appoint an attorney or solicitor, upon such recom-

A.D. 1870.

mendation as is herein-after mentioned, to be the public prosecutor for each of such districts.

The district of the central criminal court may be constituted as one district, or into such and so many districts for the purposes of this Act, as such Secretary of State thinks fit, and an appointment of a public prosecutor for any district included in the district of the said court shall be made upon the recommendation of the recorder of the city of London; and any districts to be constituted for the purposes of this Act in the counties of Essex, Kent, and Surrey shall be exclusive of any such portions of the said counties as are within the district of the said court.

In other cases a recommendation of a public prosecutor for any district may be made by the justices of the peace for any county, riding, division of a county, or liberty, or for any city or borough having a separate court of quarter sessions and also a separate commission of the peace, which, or any part of which, is included in such district.

A recommendation by justices for a county, riding, division of a county, or liberty shall be made at an annual general, general, or quarter sessions, and by justices for a city or borough at a special sessions summoned for the purpose.

Any such recommendation may include one or more names not exceeding three.

In case a recommendation includes more than one name, or different recommendations are made by justices of the several jurisdictions within and for the same district, the selection shall be made by the Secretary of State at his discretion from among the persons recommended.

Duration and tenure of office of public prosecutors.

11. An appointment of a public prosecutor shall not be made for a longer period than five years, but may be renewed from time to time, or a new appointment may be made, subject in every such case of renewal or new appointment to the provisions of this Act as to a first appointment. Every public prosecutor appointed in pursuance of the provisions of this Act shall be removable at pleasure by one of Her Majesty's Principal Secretaries of State.

Public prosecutors to have offices and clerks, and to furnish returns.

12. Every public prosecutor appointed in pursuance of the provisions of this Act shall provide a proper office and a sufficient clerk or clerks. His office shall be within his district, and he shall not reside at a greater distance than seven miles from such office, unless specially authorised by one of Her Majesty's Principal Secretaries of State. He shall furnish to one of Her Majesty's Principal Secretaries of State such returns of such particulars, and at

such times, as such Secretary of State may from time to time require, and such returns shall be laid before both Houses of Parliament.

Salaries of public prosecutors.

13. *There shall be paid out of the Consolidated Fund to a public prosecutor appointed in pursuance of the provisions of this Act such salary, not in any case exceeding two hundred pounds a year, as may from time to time be determined by one of Her Majesty's Principal Secretaries of State, with the consent of the Treasury, and such further allowance in respect of offices and clerks as may from time to time be determined in like manner.*

A public prosecutor shall not be entitled to any compensation in respect of the abolition of his office, or of his removal therefrom, or of any reduction in the salary or alteration of the duties thereof.

Restriction on private practice of public prosecutors in criminal cases.

14. A public prosecutor shall not, by himself or by his partner, act as a clerk of the peace or as a clerk to justices. He shall not, by himself or his partner, be employed or concerned otherwise than as public prosecutor in any criminal prosecution within or arising out of the district in and for which he is appointed. He shall not, by himself or his partner or clerk, act as a registration agent, or as an agent for any candidate to be elected as a member to serve in Parliament, or in any manner interfere in an election of a member or members to serve in Parliament otherwise than by voting at such election; and if any public prosecutor so act or interfere, whether by himself or by his partner or clerk, he shall be liable on summary conviction to a penalty of fifty pounds.

Appointment of counsel for public prosecutions.

15. It shall be lawful for Her Majesty's Attorney General from time to time to appoint so many barristers-at-law, not exceeding three in number, as he thinks fit, being of not less than seven years standing, to act as counsel for public prosecutions, *and to fix the salary of such counsel, with the consent of the Treasury, and the salary of such counsel shall be payable out of the Consolidated Fund.*

Tenure and conditions of office of counsel for public prosecutions.

16. A counsel for public prosecutions shall be subject to the following provisions as to the tenure and conditions of his office; (that is to say,)

(1.) His appointment shall not be made for a longer period than five years, but an appointment may be renewed from time to time, or a new appointment may be made, subject in every case of renewal or new appointment to the provisions of this Act as to a first appointment:

(2.) He shall be removable at pleasure by Her Majesty's Attorney General:

A.D. 1870.

(3.) He shall not be entitled to any compensation in respect of the abolition of his office or of his removal therefrom, or of any reduction in the salary, or alteration of the duties thereof:

(4.) He shall not be capable of being elected to serve or of sitting or voting in Parliament:

(5.) He shall not be retained or act otherwise than in the performance of his duties as counsel for public prosecutions in any case in which he has advised or interfered as such counsel.

Rules may be issued for the guidance of public prosecutors and of counsel for public prosecutions.

17. Her Majesty's Attorney General may from time to time issue and alter rules and regulations for the guidance of counsel for public prosecutions and of public prosecutors, which rules shall be binding on them as if the same were incorporated in this Act; and a copy of such rules, and any alteration thereof, shall be publicly exhibited in each office of a public prosecutor appointed under this Act.

PART III.

Supplemental Provisions.

Supplemental provisions as to appointments of public prosecutors.

18. The constitution of a district for the purposes of this Act by one of Her Majesty's Principal Secretaries of State shall be notified by such Secretary of State to the clerk of the peace of every county, riding, division of a county, liberty, or city or borough having a separate court of quarter sessions, which, or any part of which, is included in such district.

In case of a vacancy happening in the office of public prosecutor for any district otherwise than by the expiration of the term for which a public prosecutor has been appointed, the clerk of the peace for the city or borough, if the district be wholly within a city or borough, or, if the district include the whole or part of a county, riding, division of a county, or liberty, the clerk of the peace for such county, riding, division, or liberty shall forthwith certify the fact of the vacancy to one of Her Majesty's Principal Secretaries of State, who may nominate some person to act as public prosecutor until a new appointment shall have been made.

Recommendations to be made for the first time after the passing of this Act, or upon such vacancies as aforesaid, of persons to be appointed as public prosecutors, shall be made by justices for a county, riding, division of a county, or liberty, within four months, and by justices for a city or borough within one month after such notification as aforesaid by one of Her Majesty's Principal Secre-

taries of State, or after the happening of the vacancy, as the case may be. A.D. 1870.

Such recommendations to be made from time to time by reason of the expiration of the term for which a public prosecutor has been appointed shall be made not less than one month before the expiration of such term.

In case no recommendation is made by justices of any person to be appointed as public prosecutor for any district (whether originally or upon a vacancy, or by reason of expiration of the term of an appointment), an appointment may be made by one of Her Majesty's Principal Secretaries of State, at his discretion.

Costs and expenses of public prosecutors.

19. *In the case of every prosecution instituted or conducted by a public prosecutor, costs and expenses shall be allowable, and shall be ascertained, allowed, paid, and borne as costs and expenses of prosecutions in cases of felony are now ascertained, allowed, paid, and borne, and the public prosecutor shall be entitled as part of his remuneration to costs and expenses in the same manner as other prosecutors: Provided that it shall be lawful for one of Her Majesty's Principal Secretaries of State, with the consent of the Treasury, at any time to direct that public prosecutors shall be paid, wholly, or subject to any exceptions, by such increased salary in lieu of costs and expenses as such Secretary of State may from time time, with such consent, determine.*

Additional allowances to witnesses.

20. *In any case where the expenses allowable to any witnesses for a prosecution under any regulations in force with respect to such expenses are certified by a public prosecutor by a certificate endorsed or countersigned by the justices before whom such witnesses are examined, or by the clerk of the court before which the trial is had, to be insufficient to meet the actual and proper expenses of such witnesses, such additional expenses as may be specified in such certificate as endorsed or countersigned as aforesaid shall be allowed and paid in the same manner as the other expenses of such witnesses are allowed and paid.*

Provision for cases arising wholly or in part out of the district of a public prosecutor.

21. For the purposes of this Act, in the case of an indictable offence committed partly in one district and partly in another, or triable in any of several counties, places, or districts, the public prosecutor for any of such districts, counties, or places may take cognizance of and prosecute such offence in all respects as if the same had been committed wholly within his district; and in the case of an indictable offence triable, though not committed, in England or Wales, the public prosecutor for any place where the person accused is found or apprehended, or may lawfully be tried,

A.D. 1870.

may take cognizance of and prosecute such offence in all respects as if the same had been committed within his district; and in case of a question arising as to the district in which an offence is to be prosecuted, Her Majesty's Attorney General may direct the same to be prosecuted in such district as he may think fit.

Limitation of actions against public prosecutors.

22. No action shall be brought against any public prosecutor, or person acting by direction of a public prosecutor, for anything done in pursuance or in execution of this Act, unless commenced within six months after the act done, nor unless a notice in writing of the intended action, stating the ground thereof, has, one month at the least previously to the commencement of such action, been delivered to or left at the office of such public prosecutor or at the usual place of abode of such person, as the case may be.

Saving of certain prosecutions.

23. Nothing in this Act shall affect any prosecution for any indictable offence (except offences relating to coin) which is instituted or prosecuted by the solicitor to Her Majesty's Treasury or by the solicitor to the Post Office, or authorise the interference of a public prosecutor in any such prosecution; and the solicitor to Her Majesty's Treasury may, if so directed by Her Majesty's Attorney General or by one of Her Majesty's Principal Secretaries of State, or by the Commissioners of Her Majesty's Treasury, undertake the conduct of any prosecution for an indictable offence, notwithstanding that a public prosecutor has already instituted or undertaken the conduct of a prosecution for such offence; and in any such case the public prosecutor shall, if required by such solicitor, act under his direction for the purposes of the prosecution.

Subject to the provisions herein-before in this section contained, where prosecutions for any kinds of indictable offences are now conducted on behalf of any public office, department, or commissioners, by persons holding appointments as prosecuting attorneys on behalf of such public office, department, or commissioners, such prosecutions shall, unless the Commissioners of Treasury otherwise direct, continue to be conducted by such persons in the same manner and subject to the same conditions as if this Act had not passed; but upon a vacancy occurring in the appointment of any such person, a new appointment shall not be made, but all such prosecutions for indictable offences as would have been conducted by such person if he had continued to hold his appointment shall be conducted by the public prosecutor for the district where the offences arise or are to be prosecuted.

Provision in case of illness or incapacity.

24. In case of the illness or temporary incapacity of a public prosecutor or circuit counsel, one of Her Majesty's Principal

Secretaries of State may appoint some qualified person to act in his room for any time not exceeding three months.

Evidence of the appointment of a public prosecutor.

25. An appointment of any person as public prosecutor for any district, purporting to be signed by one of Her Majesty's Principal Secretaries of State, shall for all purposes be evidence of the appointment of such person as the public prosecutor for the district named in the appointment. Every appointment of a public prosecutor shall be notified to every clerk of the peace or clerk of a petty sessional division within the district for which he is appointed.

Exemption from stamp duty.

26. An appointment of a public prosecutor, or of a counsel for public prosecutions, made in pursuance of the provisions of this Act, shall not be subject to stamp duty.

A

BILL

[AS AMENDED BY THE SELECT COMMITTEE]

To provide for the appointment of Public Prosecutors, and for the more effectual prosecution of indictable offences.

(*Prepared and brought in by Mr. Eykyn, Mr. Vernon Harcourt, Mr. Rathbone, and Viscount Sandon.*)

Ordered, by The House of Commons, *to be Printed*, 30 *May* 1870.

[Bill 148.]

Under 2 *oz.*

A

B I L L

TO

Amend the Public Schools Act, 1868.

A.D. 1870.

WHEREAS by the Public Schools Act, 1868, certain powers of making statutes and regulations and of making and proposing schemes are vested in the governing bodies of the several schools to which the said Act applies: 31 & 32 Vict. c. 118.

And whereas it is provided by the said Act that all such powers shall, from and after a day named in the said Act, or such further time as may be determined by Her Majesty by Order in Council, pass to and vest in the Special Commissioners by the said Act appointed, subject as therein mentioned; and it is further provided that the powers conferred on the said Special Commissioners by the said Act shall be in force until such day as in the said Act mentioned, or a further day to which the same may be continued by Her Majesty as therein mentioned:

And whereas the powers so vested in the governing bodies of the said schools have been continued by Her Majesty, but will, unless Parliament otherwise provides, on and after the first day of January one thousand eight hundred and seventy-one, pass to the said Special Commissioners:

And whereas it is expedient to postpone for such further time as is herein-after mentioned the transfer of such powers as aforesaid to the said Special Commissioners, and to continue for a further time the powers of the said Special Commissioners:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title of Act.

1. This Act may be cited for all purposes as "The Public Schools Act, 1870."

Extension of powers of governing bodies.

2. All powers by the Public Schools Act, 1868, or any Act amending the same, vested in the governing bodies of the several schools to which the said Public Schools Act applies, shall continue

A.D. 1870.

vested in such governing bodies respectively until the *thirty-first day of July one thousand eight hundred and seventy-one*, and from and after the said *thirty-first day of July one thousand eight hundred and seventy-one*, and not before, shall pass to and vest in the said Special Commissioners, subject nevertheless as in the said Act mentioned.

Duration of powers of Commissioners.

3. Subject to the provisions of this Act, all powers conferred on the Special Commissioners by the Public Schools Act, 1868, or any Act amending the same, shall be in force until the *thirty-first day of July one thousand eight hundred and seventy-two*, and it shall be lawful for Her Majesty, if she think fit, by and with the advice of Her Privy Council, to continue the same until the *thirty-first day of December one thousand eight hundred and seventy-two.*

Public Schools Act (1868) Amendment.

A

B I L L

To amend the Public Schools Act, 1868.

(*Prepared and brought in by Mr. Secretary Bruce and Mr. Knatchbull-Hugessen.*)

Ordered, by The House of Commons, *to be Printed,* 6 *July* 1870.

[Bill 200.]

Under 1 *oz.*

Queen Anne's Bounty (Superannuation) Bill.

ARRANGEMENT OF CLAUSES.

Clauses.

Preamble.

1. Power to governors out of their general fund to grant retired allowances.
2. Power to grant gratuities in certain cases where officers or clerks not entitled by length of service to superannuation.
3. No superannuation to be granted unless approved by Treasury.
4. Restrictions as to grant of full superannuation allowance.
5. Under special circumstances, an increase may be made to regular superannuation allowance.
6. Superannuation not to be granted to officers or clerks under sixty, except upon medical certificate.
7. Where superannuation granted to any officer or clerk under sixty he shall be liable to be recalled to service.
8. Superannuations not to be granted on advanced amount of salary received for less than three years.
9. Superannuations to be inserted in annual return.

[Bill 114.] a +

A

B I L L

TO

Enable the Governors of Queen Anne's Bounty to provide Superannuation Allowances for their Officers. A.D. 1870.

WHEREAS it is expedient that due regulations should be made for granting in future superannuation allowances to the officers and clerks employed by the Governors of the Bounty of Queen Anne, upon the principle adopted in the various departments of the public service:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Power to governors out of their general fund to grant retired allowances. (*See* Act 4 & 5 W. 4. c. 24. sec. 9.)

1. Subject to the exceptions and provisions herein-after contained, the said governors may pay out of their general fund allowances on retirement from the office to officers and clerks who shall have served in an established capacity in the permanent service of the governors, not exceeding the following; viz.

To the officer who entered the governors service prior to the *fifth day of August one thousand eight hundred and twenty-nine*, when he shall have served for *forty-five* years and upwards and under *fifty* years, any annual allowance not exceeding in amount *eleven twelfths* of the annual salary and emoluments of his office:

And for *fifty* years or upwards any annual allowance not exceeding the net amount of the salary and emoluments of his office:

(*See* Act 22 Vict. c. 26. sec. 2.)

And to any officer or clerk who may have entered the governors service subsequent to the *fourth day of August one thousand eight hundred and twenty-nine*, and who shall have served *ten* years and upwards and under *eleven* years, an annual allowance of *ten sixtieths* of the annual salary and emoluments of his office:

For *eleven* years and under *twelve* years an annual allowance of *eleven sixtieths* of such salary and emoluments, and in like

A.D. 1870.

manner a further addition to the annual allowance of one *sixtieth* in respect of each additional year of such service until the completion of a period of service of *forty* years, when the annual allowance of *forty sixtieths* may be granted, and no addition shall be made in respect of any service beyond *forty* years to those who may have entered thereupon since the said *fourth day of August one thousand eight hundred and twenty-nine.*

Power to grant gratuities in certain cases where officers or clerks not entitled by length of service to superannuation.

2. The said governors may grant to any officer or clerk in their service who, being the holder of an office in respect of which a superannuation allowance may be granted, but not having completed the period which would have entitled him to a superannuation allowance, is constrained from infirmity of mind or body to leave the service of the governors before the completion of the period which would entitle him to a superannuation allowance, such sum of money by way of gratuity as the said governors shall think proper, but so that no gratuity shall exceed the amount of *one month's* pay for each year's service.

No superannuation to be granted unless approved by Treasury.

3. No superannuation allowance or gratuity under this Act shall be granted to any officer or clerk until the application, with the certificate and the award of the said governors, shall have been submitted to and approved of by the Lords Commissioners of Her Majesty's Treasury: Provided also, that if any question shall arise as to the claim of any officer or clerk for superannuation under this Act it shall be referred to the Commissioners of the Treasury, whose decision shall be final.

Restrictions as to grant of full superannuation allowance.

4. It shall not be lawful for the said governors to grant the full amount of superannuation allowance which can be granted under this Act to any officer or clerk, other than the secretary and treasurer, unless upon production of a certificate signed by the secretary and treasurer that such officer or clerk has served with diligence and fidelity to the satisfaction of the said governors; provided that the said governors may grant to any officer or clerk any such allowance of less amount than otherwise would have been awarded to him where his defaults or demerit may appear to them to justify such diminution.

Under special circumstances, an increase may be made to regular superannuation allowance.

5. In computing the amount of superannuation allowance to be granted to any officer or clerk under the provisions of this Act, the said governors, under special circumstances, to be stated to and approved of by the Lords Commissioners of Her Majesty's Treasury, may direct that any number of years, not exceeding *ten* years in the whole, be added to the number of years during which such officer or clerk may have actually served.

A.D. 1870.

Superannuation not to be granted to officers or clerks under 60, except upon medical certificate.

6. It shall not be lawful to grant any superannuation allowance under the provisions of this Act to any officer or clerk who shall be under *sixty* years of age, unless upon medical certificate to the satisfaction of the said governors that he is incapable from infirmity of mind or body to discharge the duties of his situation, and that such infirmity is likely to be permanent.

Where superannuation granted to any officer or clerk under 60 he shall be liable to be recalled to service.

7. Every officer or clerk to whom a superannuation allowance shall have been granted before he shall have attained the age of *sixty* years shall, until he shall have attained that age, be liable to be recalled into the service of the said governors, and if he shall decline when called upon to take upon him any office or situation, being equal in emolument to that which he formerly held, or shall neglect to perform the duties thereof satisfactorily, being in a competent state of health, he shall forfeit his right to the allowance which had been granted to him.

Superannuation not to be granted on advanced amount of salary received for less than three years. (*See* Act 4 & 5 W. 4. c. 24. s. 12.)

8. Provided always, and be it further enacted, that the superannuation allowance to be granted to any officer or clerk after the passing of this Act shall not be computed upon the amount of the salary enjoyed by him at the time of his retirement, unless he shall have been in the receipt of the same, or in the class from which he retires, for a period of at least *three* years immediately before the granting of such superannuation allowance; and in case he shall not have enjoyed his then existing salary or have been in such class for that period, such superannuation allowance shall be calculated upon the average amount of salary received by such officer or clerk for *three* years next preceding the commencement of such allowance.

Superannuations to be inserted in annual return.

9. Return of all superannuation allowances and gratuities made during the year under this Act, setting forth in each case the length of service, the salary, and the allowance or gratuity awarded, together with the special circumstances, if any, on which such allowances have been awarded, shall be inserted by the governors each year in their annual return to Her Majesty in Council, and laid before both Houses of Parliament.

Queen Anne's Bounty (Superannuation).

A

B I L L

TO

Enable the Governors of Queen Anne's Bounty to provide Superannuation Allowances for their Officers.

(*Prepared and brought in by Mr. Bouverie and Mr. Gathorne Hardy.*)

Ordered, by The House of Commons, *to be Printed,* 29 *April* 1870.

[Bill 114.]

Under 1 *oz.*

A

B I L L

FOR

The Amendment of "The Railway Construction Facilities Act (1864)." A.D. 1870.

WHEREAS it is expedient to amend so much of "The Railways "Construction Facilities Act, 1864," as relates to the opposition of a railway or canal company to the undertaking:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. This Act may be cited as "The Railways Construction Facilities Act, 1870." Short title.

2. This Act shall be construed as one with "The Railways Con- "struction Facilities Act, 1864," and that Act is in this Act referred to as the principal Act. Construction of Act with 27 & 28 Vict. c. 121.

3. Section nine of the principal Act shall be read and shall have effect as if the following words had been inserted in the said section after the word "promoters" at the end thereof; that is to say, "without hearing both parties by counsel, agents, and witnesses, "in such manner as the Board of Trade may from time to time "prescribe, either by general rules to be made by them under the "principal Act, or otherwise:" Provided always, that the Board of Trade shall not sanction any railway which may abstract traffic from any existing or authorized railway or canal. Board of Trade to hear counsel, &c. Proviso.

4. In any certificate which the Board of Trade may think fit to settle, certifying to the effect that the promoters of the proposed undertaking are authorized to make the railway therein described, there shall be inserted as a part of the terms and conditions thereof every reservation to, and every term, condition, and restriction in favour or for the benefit of the opposing Company which (if any) the Board of Trade shall have determined that the proposed under- Board of Trade to insert conditions.

A.D. 1870. taking ought to be subject to; and whenever any such certificate becomes absolute, every such reservation, term, condition, and restriction inserted therein as aforesaid shall have effect and be binding upon the promoters of the proposed undertaking.

Railway Construction Facilities Act (1864) Amendment.

A

B I L L

For the Amendment of "The Railway Construction Facilities Act (1864)."

(*Prepared and brought in by Mr. Whalley and Mr. M'Mahon.*)

Ordered, by The House of Commons, *to be Printed,* 11 *February* 1870.

[Bill 18.]

Under 1 *oz.*

A

B I L L

TO

Amend "The Railway Companies' Powers Act, 1864," and "The Railway Construction Facilities Act, 1864." A.D. 1870.

WHEREAS it is expedient to amend "The Railway Companies' Powers Act, 1864," and also "The Railways Construction Facilities Act, 1864:"

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited for all purposes as "The Railways (Powers and Construction) Acts 1864, Amendment Act, 1870."

Repeal of Acts.

2. From and after the *passing of this Act*, there shall be repealed sections seven and eight of The Railway Companies Powers Act, 1864, and Part I. of the schedule annexed to the said Act; and sections nine and ten of The Railways Construction Facilities Act, 1864, and Part I. of the schedule annexed to the said Act.

Powers of Board of Trade where notice of opposition lodged.

3. Any railway or canal company may, in case it desires to be heard by counsel, agents, and witnesses against any application for a certificate under the Railway Companies Powers Act, 1864, or for a certificate authorizing any proposed undertaking under The Railways Construction Facilities Act, 1864, (each of which Acts is in this Act respectively referred to as the Act of Application,) lodge at the office of the Board of Trade, within the time prescribed by the schedule to this Act annexed, a notice in writing to that effect (in this Act referred to as a notice of opposition), in the forms set forth in the same schedule, with such variations as circumstances require.

Where a notice of opposition has been lodged the Board of Trade may nevertheless, if they think fit, proceed upon the application, but they shall in such case settle a Provisional Certificate in accordance with the provisions of this Act.

A.D. 1870.

Every Provisional Certificate under this Act shall be settled in like manner, shall certify to the like effect, and contain the like provisions in every respect as if the same were a Draft Certificate settled by the Board of Trade, under the authority of the Act of Application in a like case, but where no notice of opposition was lodged.

When any such Provisional Certificate is confirmed in manner by this Act provided, the same shall have all the force and operation of a certificate duly made and issued by the Board of Trade, under the authority of the Act of Application, but previously to such confirmation it shall not be of any validity whatsoever.

When any Provisional Certificate is settled under this Act notice thereof shall be given by the promoters in like manner as if the same were a Draft Certificate under the Act of Application according to the provisions of such Act in that behalf.

Costs of Order. 24 & 25 Vict. c. 45. 25 & 26 Vict. c. 81.

The costs of and connected with the preparation and making of each Provisional Certificate shall be paid by the promoters, and the Board of Trade may require the promoters to give security for such costs before they proceed with the Provisional Certificate.

Confirmation of Provisional Certificate by Act of Parliament. 24 & 25 Vict. c. 45. 25 & 26 Vict. c. 19.

4. On proof to the satisfaction of the Board of Trade that notice of such certificate was duly given in manner aforesaid, the Board of Trade shall, as soon as they conveniently can after the expiration of *seven days* after such proof, procure a Bill to be introduced into either House of Parliament for an Act to confirm the Provisional Certificate, which shall be set out at length in the schedule to the Bill.

If while any such Bill is pending in either House of Parliament a petition is presented against any Provisional Certificate comprised therein, the Bill, so far as it relates to the certificate petitioned against, may be referred to a select committee, and the petitioner shall be allowed to appear and oppose as in the case of a Bill for a special Act.

The provisions of the Act of this present session of Parliament, intituled "An Act to empower Committees on Bills confirming "Provisional Orders to award costs and to examine witnesses on "oath," shall extend and apply to any select committee to whom any Bill to confirm a Provisional Certificate under this Act has been referred, in like manner and subject to the same conditions in every respect as if such Provisional Certificate were a Provisional Order.

The Act of Parliament confirming any Provisional Certificate shall be deemed a Public General Act.

A.D. 1870.

Repeal of 27 & 28 Vict. c. 121. s. 33. —Gauge of railways.

5. From and after the *passing of this Act*, section thirty-three of the said Railways Construction Facilities Act, 1864, relating to the gauge of railways, shall be and the same is hereby repealed, and every railway made under the authority of a certificate under the said Act or this Act shall be made on such gauge as shall be prescribed by such certificate.

Sections four, six, seven, and eight of the Act of the session of the ninth and tenth years of the reign of Her present Majesty, chapter fifty-seven, intituled "An Act for regulating the gauge of railways," shall apply to any railway made under the authority of any such certificate as aforesaid, and to the gauge thereby prescribed.

For the purposes of such application the provisions of the certificate relating to gauge shall be deemed to be included in the provisions of the said Act of the ninth and tenth years of the reign of Her present Majesty, chapter fifty-seven.

Amendment of Part IV. of the schedule to Railways Construction Facilities Act, 1864.

6. All enactments amending, perpetuating, or otherwise affecting the enactments described in Part IV. of the schedule to the said Railways Construction Facilities Act, 1864, now in force, or which may hereafter become law, shall, in like manner and subject to the like variations and provisions as the enactments described in the said schedule, extend and apply, as the case may require, to the railway, and to the company or persons empowered by the certificate under the said Act or this Act to make the railway, and shall in all respects operate in relation thereto respectively as if they were expressly repeated and re-enacted in the said Act, save where the same are expressly varied or excepted by such certificate.

A.D. 1870.

The SCHEDULE referred to in the foregoing Act.

Notice of Opposition.

In the matter of

The Railways Companies' Powers Act, 1864, and The Railways (Powers and Construction) Acts, 1864, Amendment Act, 1870,

and

The application of the Railway Company for a certificate, the draft whereof is intituled [*set out title*].

We, the Railway [*or* Canal] Company hereby declare and give notice that we desire to be heard by counsel, agents, and witnesses against he granting to the above-named railway company of the powers sought to be obtained by them by the above-mentioned application.

Dated this day of 18 .

Witness *A.B.*

L.S.

Or,

Notice of Opposition.

In the matter of

The Railways Construction Facilities Act, 1864, and The Railways (Powers and Construction) Acts, 1864, Amendment Act, 1870,

and

The (proposed) Railway.

We, the Railway [*or* Canal] Company hereby declare and give notice that we desire to be heard by counsel, agents, and witnesses against the above-mentioned proposed undertaking.

Dated this day of 18 .

Witness, *A.B.*

L.S.

Time for lodging Notice of Opposition.

Notice of opposition by a Railway or Canal Company is to be lodged at the office of the Board of Trade, not later than the 1st day of August, or the 1st day of January, next succeeding the date of the advertisement of application, according as the same is published in the month of June or in the month of November.

Railways (Powers and Construction).

A

BILL

To amend "The Railway Companies' Powers Act, 1864," and "The Railway Construction Facilities Act, 1864."

(*Prepared and brought in by Mr. Shaw Lefevre and Mr. Stansfeld.*)

Ordered, by The House of Commons, *to be Printed*, 17 *March* 1870.

[Bill 76.]

Under 1 *oz.*

A

B I L L

REQUIRING

Railway Companies to provide foot warmers for passengers in certain cases. A.D. 1870.

WHEREAS the health and comfort of railway travellers is greatly promoted by a gratuitous supply of foot warmers upon some of the principal railways of the United Kingdom, and, inasmuch as the cost of supplying the same is comparatively small, it is expedient that all railway companies owning a railway exceeding *twenty* miles in length should be required to supply such foot warmers, or some other means of heating railway carriages in cold weather, for the benefit of the public, free of charge:

May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, as follows:

1. This Act may be cited for all purposes as "The Railway Travelling Act, 1870."

2. Every railway company, body, or person owning a railway exceeding *twenty* miles in length within the United Kingdom shall be required to keep, and when the temperature is at or lower than *forty-five* degrees of Fahrenheit, the company shall supply, free of charge, to any person travelling over their railway who has taken a ticket for a greater distance than *fifteen* miles, a foot warmer, and shall keep the same heated by water or other means, but the company shall not be bound to supply more than two to any one compartment of a carriage.

3. If the company shall be found guilty of any default under the provisions of this Act, they shall be liable for every offence to a penalty not exceeding *forty shillings*, and such penalty may be recovered as penalties are recoverable under "The Railways Clauses Consolidation, Act, 1845," and the several provisions of that Act with respect to the recovery of damages not specially provided for, and the penalties and due determination of any other matter referred to justices, shall be incorporated with and form part of this Act.

[Bill 37.]

A

BILL

Requiring Railway Companies to provide foot warmers for passengers in certain cases.

(*Prepared and brought in by Mr. Plimsoll, Mr. Alderman Carter, Mr. Richard Shaw, Mr. Rylands, and Mr. Candlish.*)

Ordered, by the House of Commons, *to be Printed*, 18 *February* 1870.

[Bill 37.]

Under 1 *oz.*

A

B I L L

TO

Abolish certain Real Actions in the Superior Courts of Common Law in Ireland, and further to amend the Procedure in the said Courts; and for other purposes. A.D. 1870.

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows; (that is to say,)

Commencement of Act.

1. This Act shall commence and take effect on the *second* day of *November one thousand eight hundred and seventy.*

Limitation of Act.

2. This Act shall apply to Ireland only.

Short title.

3. This Act may be cited for all purposes as "The Common Law Procedure Amendment Act, Ireland, 1870."

Dower, writ of Right of dower, and Quare impedit abolished as real actions, and to be commenced by writ of summons and plaint. 23 & 24 Vict. c. 126. s. 26.

4. No writ of Right of Dower, or writ of Dower unde nihil habet, and no plaint for freebench or dower in the nature of any such writ, and no Quare impedit, shall be brought after the commencement of this Act in any court whatsoever; but where any such writ, action, or plaint would now lie, either in a superior or any other court, an action may be commenced by "writ of summons and plaint" issuing out of the Superior Courts of Common Law at Dublin, in the same manner as the writ of summons and plaint in an ordinary action, and in such form as the judge of the said courts respectively shall from time to time think fit to order.

Writ and all proceedings thereupon to be same as in ordinary action.

The service of the writ, appearance of the defendant, proceedings in default of appearance, pleadings, judgment, execution, and all other proceedings and costs upon such writ, shall be subject to the rules and practice which the judges of the said courts respectively shall from time to time make and prescribe, and which rules and practice shall be the same, as nearly as may be, as the proceedings in an ordinary action commenced by writ of summons and plaint.

[Bill 242.]

A.D. 1870.

Rules and regulations may be made and writs and proceedings framed for the purposes of this section.

In order to enable the said superior courts and the judges thereof respectively to make rules and regulations, and to frame writs of summons and plaint, and proceedings for the purpose of giving effect to the provisions of this section, the two hundred and thirty-third and two hundred and fortieth sections of "The Common Law Procedure Amendment Act (Ireland), 1853," shall be incorporated with this section, as if those provisions had been severally herein repeated.

In certain cases judge of superior courts may order cause to be tried in civil bill court.

30 & 31 Vict. c. 142. s. 7.

5. Where in any action of contract brought or commenced in any of the superior courts of common law at Dublin the claim endorsed on the summons and plaint does not exceed forty pounds, or where such claim, though it originally exceeded forty pounds, is reduced by payment, an admitted set-off, or otherwise, to a sum not exceeding forty pounds, it shall be lawful for the defendant in the action, within eight days from the day upon which the summons and plaint shall have been served upon him, if the whole or part of the demand of the plaintiff be contested, to apply to the court in which the action is brought, or to any judge of the said superior courts in chamber, for an order that such action should be tried in the civil bill court or one of the civil bill courts in which the action might have been commenced; and on the hearing of such application the judge shall, on proof that sufficient notice thereof has been given to the plaintiff or his attorney, unless there be good cause to the contrary, order such action to be tried in such civil bill court at the sessions to be named in such order, and thereupon the plaintiff shall lodge the original summons and plaint and the order with the clerk of the peace of the county mentioned in the order, and the cause and all proceedings therein shall be heard and taken in such civil bill court as if the action had been originally commenceed in such court; and the costs of the parties in respect of proceedings subsequent to the order of the judge of the superior court shall be allowed according to the scale of costs in use in the civil bill courts, and the costs of the proceedings previously had in the superior court shall be allowed according to the scale in use in such latter court.

Actions for malicious prosecution, &c. brought in superior courts may be remitted to civil bill court by judge.

6. Any person against whom an action for malicious prosecution, illegal arrest, illegal distress, assault, false imprisonment, libel, slander, seduction, or other action of tort may be brought in any of the superior courts of common law at Dublin may, within eight days from the day upon which the summons and plaint shall have been served upon him, apply to the court in which the action is brought, or to any judge of the said superior courts in chamber, (having

A.D. 1870.

30 & 31 Vict. c. 142. s. 10.

previously made and filed in the proper office an affidavit setting forth that the plaintiff has no visible means of paying the costs of the defendant should a verdict not be found for the plaintiff,) for an order that unless the plaintiff shall, within a time to be therein mentioned, give full security for the defendant's costs to the satisfaction of the master of the said court, or satisfy the judge that he has a cause of action fit to be prosecuted in the superior court, all proceedings in the action shall be stayed, or in the event of the plaintiff being unable or unwilling to give such security, or failing to satisfy the judge as aforesaid, that the cause be remitted for trial in the civil bill court of the division of the county in which the defendant usually resides, at the sessions to be named in such order, and on the hearing of such application the judge shall, on proof that sufficient notice thereof has been given to the plaintiff or his attorney, and if he is satisfied of the truth of the statements in such affidavit, make such order accordingly; and where any such cause shall be remitted for trial in manner aforesaid the plaintiff shall lodge the original summons and plaint and the order with the clerk of the peace of the county named in the order, and thereupon the said cause shall be deemed to be and shall be within the jurisdiction of the civil bill court named in such order, and the said court shall have all and the same powers and jurisdiction with respect to the said cause as if the same had been originally within the jurisdiction of the said court and had been commenced by process in the said court; and the costs of the parties in respect of the proceedings subsequent to the order of the judge of the superior court shall be allowed according to the scale of costs in use in the civil bill courts, and the costs of the proceedings in the superior court shall be allowed according to the scale in use in such latter court.

Interpretation.

7. In this Act,—

The term "clerk of the peace" shall include the acting or deputy clerk of the peace, registrar, or other officer of the county, or recorder's courts lawfully discharging the duties of the clerk either in a county, county of a city, or county of a town:

The word "county" shall include a county of a city, a county of a town, a town, a city, a borough, and a riding of a county.

Real Actions Abolition.

A

BILL

To abolish certain Real Actions in the Superior Courts of Common Law in Ireland, and further to amend the Procedure in the said Courts; and for other purposes.

(*Prepared and brought in by Mr. Solicitor General for Ireland and Mr. Chichester Fortescue.*)

Ordered, by The House of Commons, *to be Printed,* 27 *July* 1870.

[Bill 242.]

Under 1 *oz.*

Real Estate Succession Bill.

ARRANGEMENT OF CLAUSES.

Clause.

1. Short title of Act.
2. Application of Act.
3. Succession to real estate in case of intestacy.
4. Saving as to husband.
5. Saving as to wife.
6. Saving as to persons under disabilities.
7. Saving as to marshalling of assets.
8. Saving as to duty.
9. Saving as to estates tail.
10. Saving as to construction of "heir."
11. Abolition of dower, freebench, and tenancy by the curtesy.
12. Saving as to modes of conveyance of real estate.
13. Rules to be made as to letters of administration.
14. Definition of real estate.
15. Definition of personal representative.
16. Construction of conveyance of real estate.

A

B I L L

TO

Amend the Law of Succession to Real Estate. A.D. 1870.

WHEREAS it is expedient to amend the law relating to the succession to real estate:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. This Act may be cited for all purposes as "The Real Estate Succession Act, 1870." Short title of Act.

2. This Act shall not apply to Scotland. Application of Act.

3. Subject as herein-after mentioned, where any person dies after the passing of this Act intestate as to any real estate, such real estate shall pass to and be dealt with by his personal representative in the same manner, with the same incidents, for the same purposes, and upon the same trusts as if it were personal estate as to which he had died intestate. Succession to real estate in case of intestacy.

4. Nothing in this Act shall give to a husband any greater beneficial interest in the real estate of his wife, whether she die in his lifetime or not, than he would have had if this Act had not passed, with this exception, that if married after the passing of this Act he shall be entitled for life to the possession or receipt of the rents and profits of all real estate of which he is seised or to which he is entitled in right of his wife. Saving as to husband.

5. Nothing in this Act shall give to any wife married before the passing of this Act any greater interest in the real estate of her husband than she would have had if this Act had not passed. Saving as to wife.

6. Nothing in this Act shall affect the real estate of any person who, being at the time of the passing of this Act an infant, idiot, or lunatic, continues under any such disability until the time of his death. Saving as to persons under disabilities.

A.D. 1870.

Saving as to marshalling of assets.

7. Nothing in this Act shall affect the doctrine of courts of equity relating to marshalling of assets or affect the respective priorities of personal estate and real estate in relation to the payment of debts.

Saving as to duty.

8. No duty shall be payable in respect of letters of administration relating to real estate alone, and no increase of duty shall be payable in respect of any letters of administration by reason of the real estate to which they relate.

Saving of estates tail.

9. Nothing in this Act shall affect the descent of any estate tail of which any person may die seised.

Saving clause as to construction of heir.

10. This Act shall not affect the construction of the word "heir" or "heirs," or of any words of similar import when used as words of limitation, and not as words of purchase.

Abolition of dower, free-bench, and tenancy by the curtesy.

11. When any husband dies after the passing of this Act his wife shall not be entitled to dower or freebench; and when any wife dies after the passing of this Act her husband shall not be entitled to be tenant by the curtesy; but this section shall not apply to persons married before the passing of this Act.

Saving as to modes of conveyance of real estate.

12. Where any portion of the real estate passing to any personal representative in pursuance of this Act consists of copyhold or customary property, or any like property which passes by surrender and admittance, or in any similar manner, such personal representative shall not be compellable to be admitted to such property, but may deal with it in the same manner as if such property had been capable of being and had been duly surrendered or otherwise conveyed to such uses as the personal representative might appoint, and any appointee of the personal representative shall be admitted to or otherwise invested with such property accordingly; but, save as aforesaid, nothing in this Act shall affect the mode in which copyhold, customary freehold, or any other real estate, is transferred, whether by surrender, admittance, or otherwise, or any sums payable by law in respect of such surrender, admittance, or otherwise.

Rules to be made as to letters of administration.

13. The Court of Probate may make general rules providing—

(1.) For such modifications, if any, in the forms of letters of administration, and of any affidavit, inventory, or other instrument required in proving wills or in taking out letters of administration as such judge may deem expedient for carrying into effect this Act:

(2.) For the citation or non-citation on the occasion of a grant of letters of administration of such persons being next of kin

or heirs at law, or otherwise interested as such judge may deem expedient for the better administration of justice in the grant of letters of administration, having regard to the provisions of this Act.

Any rule made in pursuance of this section shall be deemed to be within the powers conferred by this Act, and shall be of the same force as if enacted in this Act, and shall be judicially noticed, and shall repeal any provision in any other Act of Parliament inconsistent with such rule.

Any rules made in pursuance of this section shall be laid before Parliament within three weeks after they are made, if Parliament be then sitting, and if Parliament be not then sitting within three weeks after the beginning of the then next session of Parliament.

Definition of real estate.

14. "Real estate" for the purpose of this Act shall include all such property (whatever be its tenure and whatever be the mode of descent to which it is subject by law or custom), and all such estates, rights, and interests in property as according to the law in force immediately before the passing of this Act would not have passed to the personal representative of a deceased person.

Definition of personal representative.

15. "Personal representative" shall mean an executor or administrator.

Construction of deeds.

Construction of conveyance of real estate.

16. After the passing of this Act, words of limitation or of inheritance shall not be necessary to pass the fee simple in real estate; and any disposition of real estate made by deed or otherwise in favour of any person shall be construed to pass the fee simple or other the whole estate or interest which the person making such disposition had power to dispose of in such real estate, unless a contrary intention appear by express words or necessary implication in the instrument making the disposition.

A

BILL

To amend the Law of Succession to Real Estate.

(Prepared and brought in by Mr. Attorney General, Mr. Chancellor of the Exchequer, and Mr. Solicitor General.)

Ordered, by The House of Commons, *to be Printed*, 18 *March* 1870.

[Bill 81.]

Under 1 *oz.*

A

B I L L

TO

Amend the Laws relating to the Registration of Parliamentary Voters in Counties in England and Wales. A.D. 1870.

WHEREAS it is expedient to amend the laws relating to the registration of Parliamentary voters in counties in England and Wales:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited as "The County Voters Registration Act, 1870."

Interpretation of terms.

2. In this Act,—

The term "the Act of 1843" means an Act passed in the session of Parliament held in the sixth and seventh years of the reign of Her present Majesty, intituled "An Act to amend the law "for the registration of persons entitled to vote, and to define "certain rights of voting, and to regulate certain proceedings "in the election of members to serve in Parliament for England "and Wales:"

The term "the Act of 1865" means "The County Voters Registration Act, 1865."

Acts of 1843 and 1865 to be construed with this Act.

3. This Act and the Acts of 1843 and of 1865, as altered by this Act, shall be read and have effect together as one Act; and the expressions "this Act" and "this section," when used in either of the Acts of 1843 and 1865, shall be held to apply to the present Act.

Notices of objection to state the ground of objection.

4. All notices of objection given under the Act of 1843 or the Act of 1865, other than a notice to the overseers, shall state specifically the grounds of objection; and in case of an objection to column two of any register or list, it shall only be necessary for the person objected to to give evidence of his place of abode.

Revising barrister may award costs and compensation for

5. In case any objection to any person on any list or register shall not be sustained, the revising barrister shall award costs to

A.D. 1870.

loss of time when objection cannot be sustained.

the person objected to, such costs not to exceed the actual expenses incurred and compensation for loss of time; but in awarding such costs the revising barrister shall consider whether personal attendance to support the vote was or was not necessary.

Revising barrister may make amendments, but not insert any new qualification.

6. The revising barrister shall, on the revision of any register or list, have power in case of objection, to make any alterations or amendments whatever, provided that no new qualification be inserted.

Overseers to give lists to the clerk of the peace, and supply copies on requisition.

7. Immediately on the publication of every list the overseers shall forward to the clerk of the peace a copy thereof, and the overseers and clerk of the peace respectively shall supply copies thereof to any person applying for the same, either personally or by post.

Overseers to make oath that the lists are correct.

8. The overseers, or one of them, shall, at the revision, make oath before the revising barrister that the lists delivered by them are to the best of their belief correct, and that they have not in any way knowingly infringed the provisions of any Act in force relating to the registration of county voters, and that they have not altered or in any way dealt with any rate book so as to affect prejudicially the right of any person to vote.

Rate book and valuation lists to be open to inspection without fee.

9. The rate book shall be open to the inspection of any ratepayer, or of any person authorized by any ratepayer, and such ratepayer and person respectively may make extracts therefrom; and the valuation lists shall be in like manner open to inspection at the office of the clerk to the assessment committee, and copies or extracts may be taken without payment of any fee or reward.

Revision court to be held at each polling place.

10. The barrister appointed to revise the lists of any county shall hold a revision court at each polling place for such county.

County voter may elect at what polling place he will record his vote.

11. At any court held for revising the list of voters for any county any person whose name is on the register for such county may make his claim to vote at any polling place in such county, notwithstanding he may be resident within the polling district wherein his qualification is situate; and the barrister shall, instead of prefixing an asterisk against the name of the person so claiming as aforesaid, insert in such list the name of the polling place at which he shall be so registered to vote.

A

BILL

To amend the laws relating to the Registration of Parliamentary Voters in counties in England and Wales.

(*Prepared and brought in by Mr. Dodds, Lord Eustace Cecil, Mr. Pease, and Mr. Andrew Johnstone.*)

Ordered, by The House of Commons, *to be Printed,* 1 *March* 1870.

[Bill 53.]

Under 1 *oz.*

Registration of Voters Bill (No. 2).

ARRANGEMENT OF CLAUSES.

Clauses.

1. Short title.
2. Commencement of Act.
3. Extent of Act.
4. Interpretation.

PART I.

FORMATION OF LISTS IN BOROUGHS.

5. Rating or payment of rates not necessary for borough franchise.
6. Date of qualification.
7. Successive and joint occupation of lodgings.
8. Registrar of voters.
9. Town clerk to furnish freemen's list.
10. Formation of registrar's list.
11. Arrangement of registrar's list.
12. Claims and objections.
13. Correction of list by the registrar.

PART II.

REVISION IN COUNTIES AND BOROUGHS.

14. Court of Common Pleas to be the superior court of revision.
15. Court of Common Pleas to make regulations for revision.
16. Cases may be stated for the superior court of revision.
17. General powers of revising barristers.
18. Revision in counties.
19. Revision in boroughs.
20. Completion of borough registers.

PART III.

Supplemental Provisions.

Clauses.

21. Provision for sole registrar in a borough where several assessment authorities.
22. Provision for a registrar other than a clerk to an assessment authority.
23. Provision for several registrars in certain cases.
24. Preparation of municipal with parliamentary list.
25. Registrar may inspect rates.
26. Registrars may enforce naming and numbering.
27. Assistants to registrars.
28. Rules for conduct of registrars.
29. Service of notices.
30. Publication of lists and notices.
31. Sale of copies of lists and notices.
32. Levy of costs and fines.
33. Expenses of registration.
34. Expenses of overseers.
35. No appeal as to fines or expenses.
36. Provision in case of incapacity of registrar.
37. Registrar not to interfere in elections.
38. Attendance of police at revision courts.
39. Additional revising barristers.
40. Reports by revising barristers.
41. Proceedings not to be avoided by technical defects.
42. Provisions as to the city of London.
43. Saving of the universities.
44. Computation of time.
45. Repeal of Acts.
46. Force of schedules.

Schedules.

A

B I L L

TO

Amend the Laws relating to the Registration of Voters in England and Wales. A.D. 1870.

WHEREAS it is expedient to amend the law respecting the registration of voters for counties and boroughs and the conditions of registration in boroughs as to the payment of rates and otherwise:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title. **1.** This Act may be cited as "The Registration of Voters Act, 1870."

Commencement. **2.** This Act shall not come into operation until the *first day of March one thousand eight hundred and seventy-one.*

Extent. **3.** This Act shall not extend to Scotland or Ireland.

Interpretation. **4.** In this Act the words and expressions following have the meanings herein-after in this section assigned to them respectively, unless where the context otherwise requires; viz.,

"Assessment authority" means, in the case of unions or incorporations of parishes for the time being subject to the provisions of the Union Assessment Committee Act, 1862, and Acts amending the same, or the Valuation (Metropolis) Act, 1869, the assessment committees respectively for such union or parishes; in the case of any union or incorporation of parishes, or any parish not included in the above description, the board of guardians, vestry, select vestry, board of overseers, overseers, or other authority having power for the time being by law to assess or make the rates for the relief of the poor of such parishes or parish respectively:

"Clerk to the assessment authority" means the clerk to the assessment committee, vestry clerk, clerk to the board of overseers, or other person, under whatever designation, acting as clerk to the assessment authority:

A.D. 1870.

"Borough" and "parliamentary borough" mean a borough within the meaning of the Acts relating to the representation of the people:

"County," "clerk of the peace," and any other words or expressions relating to the registration of voters for counties, have the same meanings respectively as in the Acts of the sixth and seventh of Her Majesty, chapter eighteen, and the twenty-eighth and twenty-ninth of Her Majesty, chapter thirty-six, and Acts amending the said Acts:

"Municipal borough" means any place for the time being subject to the Act of the fifth and sixth William the Fourth, chapter seventy-six, and Acts amending the same:

"Street" includes any road, square, place, terrace, court, alley, or thoroughfare, or any collection of premises having a distinctive name:

"Town clerk" means, in the case of the borough of Southwark or the city of Westminster, the high bailiff of such borough or city, and in other cases means the person, under whatsoever designation, executing the duties of a town clerk, or if in any borough there be no such person, then the returning officer of such city or borough, or his deputy lawfully appointed:

"Voter" means a person entitled or claiming to be entitled to vote at an election of members to serve in Parliament.

PART I.

FORMATION OF LISTS IN BOROUGHS.

Rating or payment of rates not to be necessary for borough franchise.

5. No person shall be required, in order to entitle him to be registered after the passing of this Act, or when so registered to vote as a voter at the election of a member or members to serve in Parliament for a borough, to have been rated for the relief of the poor or to have paid any poor's rates or assessed taxes.

Date of qualification.

6. For the purposes of any Act requiring occupation, lodging, residence, possession, receipt of rents or of profits, or inhabitancy for twelve months to the last day of July, as part of the qualification of any person to be registered as a voter for a borough, the like occupation, lodging, residence, possession, receipt, or inhabitancy for ten months to the *last day of May* (which day is herein-after referred to as "the date of claim") shall be substituted for and have the same effect as such occupation, lodging, residence, possession,

receipt, or inhabitancy for twelve months to the last day of July; and where a residence for six months to the last day of July is required, residence for six months to the *last day of May* shall in like manner be required and be sufficient for all purposes; and the provisions of any Acts requiring or referring to the terms of occupation, lodging, residence, possession, receipt, or inhabitancy hereby altered shall be read as if they required or referred to the terms substituted for such terms respectively by this section.

Successive and joint occupation of lodgings.

7. Lodgings in respect of which any person shall be entitled to be registered in any year as a voter for a borough shall not be required to be the same lodgings, but may be different lodgings of sufficient value occupied in succession by such person during the time required for qualification in respect of lodgings.

A joint occupation by several persons of the same lodgings, the value of which would be sufficient, if equally distributed over separate lodgings for same number of persons, to qualify such number of persons to be registered as voters, shall have the same effect for qualifying each of such persons to be registered and vote as a lodger as a separate occupation of lodgings of the requisite value.

Registrar of voters.

8. Subject as herein-after in this Act provided, the clerk to the assessment authority in each borough shall be the registrar of voters (herein-after in this Act referred to as the "registrar") for such borough for the purposes of this Act.

Town clerk to furnish freemen's list.

9. The town clerk of every borough shall, on or before the fifth day of June in each year, make, sign, and transmit to the registrar an alphabetical list, in the form numbered (1) in the first schedule to this Act, of all persons qualified as freemen on the *last day of May* in such year to be voters for such borough.

Formation of registrar's list.

10. The registrar of every borough shall, on or before the last day of June in each year, make and publish a list (herein-after in this Act referred to as "the registrar's list") according to the form numbered (3) in the first schedule to this Act, of all persons qualified to be registered as voters for such borough.

He shall include in such list all persons qualified otherwise than as lodgers, without any notice of claim on their part, and whether or not they are upon the register in force for the time being, and shall exclude all persons appearing to him not to be qualified, whether or not they are upon the register in force for the time being.

A.D. 1870.

Any person claiming to be entitled at the date of claim to be placed on the registrar's list as a lodger, and who is not upon the register then in force as a lodger, or who, being upon such register as a lodger, claims to be entitled in respect of different lodgings from those in respect of which he is so upon the register, may deliver to the registrar, on or before the *fifth day of June*, a notice of claim in writing, according to the form numbered (1) in the second schedule to this Act, stating his claim and the particulars thereof.

The registrar shall investigate the title of every lodger who has given notice of claim as aforesaid, or whose name is on the register in force for the time being as a lodger, and shall, if satisfied that any such lodger is entitled to be placed on the list, insert his name accordingly; but he shall not be bound to insert the name of any lodger not upon the register in force for the time being as a lodger who has not given notice of claim as aforesaid.

Arrangement of registrar's list.

11. The registrar's list shall be arranged by streets in the alphabetical order of the names of all streets which or any parts of which are situate within the borough, and in respect of each side of every such street or part of a street shall be arranged according to the consecutive order of the premises situate therein, and in respect of any such premises shall be arranged according to the alphabetical order of the names of all the persons qualified in respect of such premises or of any part of such premises, or qualified as freemen and resident at such premises.

The names of any persons qualified in respect of or resident at premises not situate or included in any street shall be placed in an appendix to the said list in alphabetical order of names.

The names of persons qualified as freemen, and not resident within the borough, shall be placed in a separate appendix in the alphabetical order of their names.

Where the same person is qualified in respect of different premises, his name shall be placed on the registrar's list only for such one of such qualifying premises as the registrar may determine; and in the case of each of his other qualifications a reference shall be made to the part of the registrar's list where his name is inserted.

Claims and objections.

12. Claims (other than notices of claim by lodgers not on the register, or not on the register for the same lodgings), objections, and amendments may be made at any time within the month of *July*, as follows; that is to say,

A.D. 1870.

(1.) Any person who is entitled to be on the registrar's list, and who has been omitted therefrom, or whose name or qualification has been incorrectly or incompletely stated, or who being possessed of several qualifications desires to be registered in respect of a different qualification from that in respect of which his name is inserted in the registrar's list, may deliver to the registrar a notice of claim in writing (according to the form prescribed in the second schedule to this Act), stating the particulars of his claim:

(2.) Any person whose name is on the registrar's list may deliver to the registrar an objection in writing (according to the form prescribed in the second schedule to this Act) to the name, description, or qualification of any other person who is on the registrar's list, stating specifically the ground of his objection, or of each of his objections, if more than one.

Subject to the provisions herein-before in this Act contained as to lodgers, the registrar shall, if it appears to him, without claim or objection made, that any name ought to be expunged from or inserted in his list, or that any statement in the list of a name, qualification, or description ought to be amended, either by correcting or adding any statement, or by substituting a different statement, make an insertion, omission, amendment, or addition accordingly, for the purpose of removing unqualified persons from the list, and of ensuring that every qualified person is effectually inserted in the list.

He shall on or before the *tenth day of August* serve on every person whose name has been objected to a copy or duplicate of the notice of objection, and on every person whose name has been expunged by him a notice of the fact according to the form prescribed in the second schedule to this Act, setting forth the ground for expunging the name.

It shall not be necessary for any person who, having claimed as a lodger in June, has been omitted by the registrar from his list, to give any notice of claim in pursuance of this section, but every such person shall be deemed to have given such notice, and shall be included accordingly in the list of claims and objections herein-after mentioned.

Correction of list by the registrar.

13. The registrar shall investigate and allow or disallow every claim and objection, and shall, on or before the *last day of August*, publish a corrected list of all persons who have given notice of claim, and of all persons whose names have been objected to, and of

A.D. 1870.

all insertions, omissions, amendments, or additions made by him in or to his list, according to the form numbered (5) in the first schedule to this Act, stating in each case that the vote is allowed or disallowed, as the case may be, and the name of the claimant or in case of an omission, insertion, amendment, or addition made by the register of his own motion, words expressing that fact.

Any person who is dissatisfied with the disallowance of his vote by the registrar, or with any insertion, omission, amendment, or addition made by the registrar with respect to such person, and any person being on the registrar's list who is dissatisfied with the disallowance by the register of an objection (whether made by such last-mentioned person or not) duly made to any person on the registrar's list or is dissatisfied with any insertion, omission, amendment, or addition made by the registrar with respect to any other person, may, on or before the *tenth day of September*, deliver to the registrar a notice, according to the form prescribed in the second schedule to this Act, of his intention to appeal to the court of revision.

Every notice of an appeal by any person against disallowance of an objection, or against an insertion, omission, addition, or other amendment, made by the registrar with respect to the vote of any other person, must state separately every ground of objection to the vote or amendment, and must be accompanied with a deposit (a receipt for which shall be endorsed by the registrar on the notice) of five shillings for each ground of objection, as security for costs, and the registrar shall serve a copy or duplicate of such notice of appeal on the person whose vote is objected to.

In the case of an appeal against the disallowance of an objection to a vote, no other ground of objection shall be admissible than the grounds stated in the original objection, unless the registrar has, upon claim or otherwise, amended or added to the voter's name, qualification, or other description, in which case notice of objection to such amendment may be given, with or without any of the original grounds of objection.

The lists of claims and objections shall be arranged and published in the same manner as the registrar's list.

A.D. 1870.

PART II.

Revision in Counties and Boroughs.

Court of Common Pleas to be the superior court of revision, and to appoint revising barristers.

14. The Court of Common Pleas at Westminster shall be the superior court of revision for the purposes of this Act, and may appoint such number of barristers (herein-after in this Act referred to as "revising barristers") as the said court may, with the consent of the Treasury, determine, to hold local courts of revision for circuits of counties or boroughs, or of any combinations or parts of counties and boroughs, in such manner as the court may direct.

Appointment of revising barristers shall be made in the month of *March* in each year, for the revision to take place in the then current year, and shall forthwith be certified by the chief justice of the said court to one of Her Majesty's Principal Secretaries of State, who shall cause the same to be laid before Parliament.

Every revising barrister shall forthwith upon his appointment notify the same to the clerk of the peace of any county and to the registrar of any borough the lists of which he is appointed to revise.

There shall be paid out of the Consolidated Fund to every revising barrister, upon the completion of his revision, such sum as one of Her Majesty's Principal Secretaries of State may, with the consent of the Treasury, from time to time allow.

No barrister shall be capable of being appointed or of acting as a revising barrister, who is of less than seven years standing, or is a member of Parliament, or holds any office or place of profit under the Crown, except the office of recorder for a city or borough or the office of a commissioner appointed under the provisions of the Act of the fifteenth and sixteenth of Her Majesty, chapter fifty-seven, and Acts amending the same.

No person shall be capable of acting as a revising barrister for any city or borough for which he is recorder, or of any county or borough within *two years* after an election at which he was a candidate to be elected as a member to serve in Parliament for such county or borough, or of being elected as a member to serve in Parliament for any county or borough within *two years* after acting as a revising barrister for such county or borough.

General regulations may be made by the superior court of revision.

15. Subject as regards boroughs to the provisions of this Act, and subject as regards counties to the provisions of this Act and such provisions of the Acts relating to registration and revision in counties as are not repealed by this Act, the judges of the superior court of revision, or any three or more of them, of whom the chief

A.D. 1870.

justice of the court shall be one, shall make, and may from time to time repeal, vary, and amend, general regulations as to the arrangements of the circuits and courts of revising barristers, and as to the conduct of proceedings in such courts, and as to the scales of costs to be allowed by such barristers, and as to the manner of stating cases, as herein-after in this Act provided, for the opinion of such such superior court, and the persons to be made parties to any proceedings upon such cases, and the security to be given in respect of such cases, and as to any other matter, whether similar or not to the matters aforesaid, which may be necessary to be done by or before revising barristers or the said superior court, for giving effect to the provisions of this Act relating to the revision of lists of voters for counties and boroughs, and any such rules shall have the same force and effect as if they were enacted in this Act.

Any such rules shall be certified under the hand or hands of a judge or two or more judges of the said superior court to one of Her Majesty's Principal Secretaries of State, and shall be laid before Parliament.

Cases may be stated for the superior court of revision.

16. Any person whose claim, vote, or objection has been disallowed by a revising barrister may require him to state a case for the opinion of the superior court of revision, and the barrister shall, upon security being given for the costs in relation to the statement and hearing of the case, state a case accordingly.

The judgment of the superior court of revision shall be final, and shall be deemed to be the decision of the revising barrister.

Every such judgment shall be certified under the hand of one of the masters of the court to the sheriff or other returning officer in a county or the registrar in a borough, who shall, if necessary, amend the register according to the judgment, and sign his name to every amendment so made.

A copy of any such judgment, purporting to be signed by one of the masters of the said court, shall for all purposes be evidence of all matters contained therein.

Where any person has been placed or retained on a list of voters by a revising barrister, his right to vote shall not be affected by the pendency of any appeal under this section until judgment given against such right, and no such judgment shall invalidate or affect any vote given by him before the date of the judgment.

The superior court may remit any case to be re-stated or amended by a revising barrister.

No appeal shall lie against a decision of a revising barrister, whether relating to a county or to a borough, otherwise than in accordance with the provisions of this section.

A.D. 1870.

The superior court shall have all the like powers in relation to any case stated for their opinion, in pursuance of the provisions of this section, as in relation to a case stated in an ordinary cause within the jurisdiction of the court.

General powers of revising barristers.

17. Every revising barrister shall, while acting in open court for the purposes of this Act, have all the same powers (including power of commitment) which might be exercised by a judge of the court of Common Pleas at nisi prius, and in addition he shall have the powers following; that is to say,

(1.) He may require the attendance of any person, and the production of any books, papers, or documents:

(2.) He may fine, in any amount not exceeding *fifty pounds*, any clerk of the peace, town clerk, overseer, registrar, or other person for any neglect of duty in relation to registration, and also any person who makes default in attending before him, or in producing books, papers, or documents.

Revision in counties.

18. Subject to the provisions of this Act, the revision of lists of voters for counties, and all matters relating thereto, shall be conducted, and the register of voters for counties shall be completed, dealt with, and kept according to the provisions of the Acts for the time being in force respecting registration and revision in counties.

Revision in boroughs.

19. The revision of the lists of voters in boroughs shall be conducted as follows; (that is to say,)

(1.) The revision shall be completed on or before the *last day of October* in each year:

(2.) The registrar of every borough shall, on or before the *twentieth day of September* in each year, transmit to the revising barrister for the borough an abstract of the number of claims and objections upon which he will have to adjudicate:

(3.) The revising barrister shall, six days at the least before holding any court for the borough, give notice te the town clerk of such borough, and also to the registrar, of the times and places for the holding of courts for such borough, and shall at the same time notify to the registrar the official persons or descriptions of official persons who will be required to be in attendance at his courts, and the descriptions of papers, books, lists, and documents which he will require to be produced before him:

(4.) The registrar shall upon receipt of such notices forthwith give public notice of the times and places appointed for

A.D. 1870.

the holding of courts, and shall also serve upon each of the official persons whose attendance is required by the revising barrister a notice in writing requiring him to appear at the specified times and places, and to produce the specified papers, books, lists, and documents in his custody or control; he shall also serve on every person who has given notice of intention to appeal against disallowance of his claim or vote, or against the allowance of whose claim or vote a notice of appeal has been given, a notice of the time and place at which such person must attend before the revising barrister, not less than three clear days before the time appointed for such attendance; he shall also give his attendance at every court held for the borough:

(5.) The revising barrister shall in open court go through the registrar's list and the list of claims and objections, and shall retain or insert every vote or claim allowed by the registrar and not appealed against, and shall omit or expunge every vote or claim disallowed by the registrar against the disallowance whereof an appeal is not brought, and shall hear and determine every appeal duly brought against a decision of the registrar; and he shall, upon or without objection made, correct any accidental mistake or misdescription, so that no vote may fail for any technical, clerical, or formal error:

(6.) The revising barrister shall, where it appears to him that any persons on the registrar's list, or whose claims have been allowed by the registrar in the list of claims and objections, have been convicted of or have been adjudged to pay a penal sum for bribery, treating, undue influence, or other corrupt practices against the law for the time being in force relating to corrupt practices at parliamentary or municipal elections, expunge the names of all such persons, and form a separate list of such persons, which shall be printed and published as a separate appendix to the register for the borough, under the heading, "The list of persons disqualified for corrupt practices:"

(7.) It shall lie upon the objector who objects to a vote or claim allowed by the registrar, and upon a claimant whose claim has been disallowed by the registrar, to establish the objection or claim, as the case may be; and, subject to the provisions of this section, no person shall be required to appear or give evidence in support of his title to be regis-

tered, unless upon disallowance by the registrar of his vote or claim, or upon an appeal duly brought against allowance by the registrar of his vote or claim:

(8.) Where it appears to the revising barrister that the name of any person is inserted more than once as a voter, he shall erase every entry but one of the name of such person:

Where the name of any person possessing several qualifications is expunged in respect of the qualification for which the name has been inserted or retained by the registrar, the revising barrister shall insert the name of such person in respect of one such other qualification, if any, as may be proved to him to be sufficient, and shall erase the other qualifications of such person:

(9.) Where any person appears to support his claim or vote against an objection made by any person other than the registrar, and the vote or claim is sustained, costs shall be awarded to such person against the objector; in other cases costs shall be at the discretion of the revising barrister, who may, if he think fit, when the person objected to does not appear, and the objection was, in the opinion of the revising barrister, made without reasonable grounds, award costs to be paid by the objector to the registrar:

(10.) A case shall not be stated by the revising barrister for the opinion of the superior court, upon the application of any person, unless upon such person paying or giving security to the satisfaction of the barrister for the costs, if any, awarded against such person in respect of the vote as to which the case is to be stated:

(11.) Every separate ground of objection to any vote or claim shall for the purposes of costs be treated as a separate objection, and no person shall be heard to object to any claim or vote until he has either paid or (if he requires a case to be stated) given security for all costs awarded against him in respect of any previous objections made by him against the same or different persons.

Completion of borough register.

20. The revising barrister shall, upon the completion of the revision for a borough, transmit the list signed by him to the registrar, who shall cause the same to be arranged as herein-before provided in the case of the registrar's list, with the addition of numbers in a consecutive series from the first name to the last name, and shall cause the list so arranged and numbered, with the appendices thereof, to be printed in a book or books on or before the *first day of December*.

A.D. 1870.

The book or books so printed shall be signed by the registrar, and shall be by him and his successors safely kept, and shall, subject to any corrections to be made by the superior court of revision, be deemed the register of voters for the borough for the purposes of any election to take place before a new register is made and takes effect, under the provisions of this Act, and shall be conclusive evidence for all purposes as to the title of any person whose name is included therein as a voter to vote at any election for the borough to take place while such register is in force, any Act or law notwithstanding.

Registers shall be so printed that the list of voters for every street may be conveniently detached from all other parts of the same register.

Every registrar of a borough shall, in the month of *January* in each year, transmit to one of Her Majesty's Principal Secretaries of State a signed copy of the register then in force for such borough.

PART III.

Supplemental Provisions.

Provision in case of several assessment authorities in a borough for appointment of a sole registrar.

21. Where a borough includes the districts or parts of the districts of two or more assessment authorities, such one of the assessment authorities as may be nominated for the purpose by the Poor Law Board shall be the registrar for the purposes of this Act, and it shall be the duty of the clerks to the other such assessment authorities to act under his direction, for the purpose of assisting him in the formation of his lists.

In certain cases a person other than the clerk to the assessment authority may be the registrar.

22. It shall be lawful for one of Her Majesty's Principal Secretaries of State, if in his discretion he think fit to do so, upon the petition of the town council or other governing body of any city, town, municipal borough, or place which includes a parliamentary borough or the principal part of a parliamentary borough, or in the case of a borough (other than the city of London) within the district of the Metropolitan Board of Works upon the petition of the assessment authorities, or the major number of them, whose unions or parishes are wholly or in part included in such borough, to appoint by writing under his hand some person other than a clerk to any assessment authority to be the registrar for such borough for the purposes of this Act, and where any person is so appointed he shall have all the same authorities and duties as any other registrar under this Act, and the clerk to every assessment authority the

district or any part of the district whereof is included in such parliamentary borough shall act under his direction for the purpose of assisting him in the formation of his lists. A.D. 1870.

Provision for several registrars in certain cases.

23. In the case of a borough including the districts or parts of the districts of two or more assessment authorities, and for which a sole registrar has not been appointed by the Poor Law Board or by one of Her Majesty's Principal Secretaries of State, the following provisions shall have effect; (that is to say,)

(1.) The clerk to each such authority shall be the registrar for such part of the borough as is subject to such authority, and the registration for such part of the borough shall, subject as herein-after in this section provided, be conducted as if such part were a separate borough, and all the provisions of this Act shall apply in the case of every such registrar and part of a borough accordingly:

(2.) In case there are freemen entitled to vote for such borough, copies of the freemen's list shall be transmitted by the town clerk to each such registrar as aforesaid, and each such registrar shall include in his own list such of the freemen as are resident or are otherwise qualified otherwise than as freemen, within the district of such registrar:

(3.) The list of freemen, if any, not resident nor otherwise qualified within the borough, shall be made and published by the registrar for that part of the borough in which the town hall is situate, and all things to be done in relation to such freemen shall be done by such registrar:

(4.) Such last-mentioned registrar shall have the charge of the printing, publishing, and custody of the register, after revision by the revising barrister.

Preparation of the municipal with the parliamentary lists.

24. Where a parliamentary borough is also a municipal borough, the registrar's list shall include the burgess list, as follows; that is to say,

(1.) For the purposes of the municipal franchise in any such borough, the like terms of occupation or residence shall entitle persons (being otherwise qualified) to be placed and retained on the list of burgesses as are in this Act prescribed in reference to qualification by occupation, lodging, residence, inhabitancy, possession, and receipt of rents or profits in the case of parliamentary voters; and the Act of the thirty-second and thirty-third of Her Majesty, chapter fifty-five, section one, shall be read as if the words

A.D. 1870.

"*the twentieth day of May*" were therein substituted for the words "the twentieth day of July:"

(2.) The registrar of every such borough shall insert in his list for each street, in the proper order of premises in such street, and of persons qualified in respect of such premises, not only persons qualified to be on the parliamentary list but also all persons, whether male or female, qualified to be on the burgess list:

(3.) The registrar of any such borough shall add to his list two additional columns, according to the form numbered (4.) in the first schedule to this Act, the one headed "parliamentary" the other headed "burgess," and against the name of every person entitled to both the parliamentary and the municipal franchise there shall be set an asterisk or other mark in each of the said columns, and against the name of every person entitled to one only of such franchises there shall be set a like mark in that column only which describes the franchise to which he is entitled:

(4.) Where any portions of the municipal borough are not included within the boundaries of the parliamentary borough, the registrar shall frame as part of his list a supplemental list of persons entitled to the municipal franchise in respect of qualifications situate in any of such portions:

(5.) In the case of any such borough every claim and notice of objection must specify whether such claim or objection respects the parliamentary or the municipal franchise, or both:

Objections to a vote of any person as burgess may be made by any person on the list as a burgess:

(6.) The revising barrister for any such borough shall complete his revision for such borough on or before the *fifteenth day of October:*

(7.) The registrar of every such borough shall, upon receipt of the revised list from the revising barrister, prepare from such list two registers, the one (which shall be prepared before the *first day of November*) containing all persons entitled to the municipal franchise, which shall have effect as the burgess roll for the municipal borough, the other containing all persons entitled to the parliamentary franchise, which shall be the parliamentary register:

(8.) Subject to the provisions of this section, all the provisions of this Act respecting the formation and revision of lists

A.D. 1870.

and registers, including appeals to the superior court of revision, shall, in the case of any such borough, include and apply, so far as they are applicable, to the portions of any such lists or registers relating to the municipal franchise:

(9.) In municipal boroughs to which this section applies, no burgess list or roll shall be made otherwise than in accordance with the provisions of this section:

(10.) No mandamus or other process shall be awarded to a mayor or other person to place the name of any person on a burgess roll made under the provisions of this section:

(11.) In case any municipal borough ceases by reason of disfranchisement to be a parliamentary borough, the burgess list and burgess roll shall thereafter be made in the same manner as in the case of other municipal boroughs to which this section does not extend.

Registrars may inspect rates.

25. It shall be the duty of every assessor, collector, overseer, clerk to Property Tax Commissioners, or other person in whose custody any rate, assessment, or duplicate for a place wholly or in part within a borough may be, to permit the registrar or his deputies, or any ratepayer, or person authorised in writing by a ratepayer, at any time, between ten in the morning and four in the following afternoon, on any day except Sunday or Saturday, and between six and nine in the evening on Saturday, to inspect and take copies of any such rate, assessment, or duplicate, without fee.

Registrar may enforce naming of streets and numbering of houses.

26. Where there are any commissioners or other governing body in a borough having power to enforce the naming of streets and numbering of houses, and such commissioners or body make default in naming any streets or numbering any houses, or, where there are no such commissioners or other body, the registrar of the borough shall have all the like powers to enforce the naming of streets and numbering of houses therein, and by the like means and penalties, as are possessed by commissioners under the Towns Improvement Clauses Act, 1847, sections sixty-four and sixty-five, with this addition, that any penalties or damages which under the said Act are recoverable from an occupier shall be recoverable by the registrar either from the occupier or from the owner of the premises.

Assistance to the registrar.

27. The registrar may employ any overseer or rate collector, and, with the consent of Her Majesty's Postmaster General for the time being, any letter carrier or other person in the service of the Post Office, to assist in the preparation of lists or the service of notices,

A.D. 1870.

and may pay to any such overseer, collector, letter carrier, or other person such remuneration as the assessment authority may allow.

Rules for the conduct of registrars.

28. One of Her Majesty's Principal Secretaries of State shall frame, and may from time to time repeal, vary, and amend, regulations for the conduct of registrars in carrying into effect the provisions of this Act. Any such rules shall be laid before Parliament, and shall, after being so laid before Parliament, unless and until disapproved by Parliament, have the same force and effect as if they were enacted in this Act.

It shall be the duty of every revising barrister to advise the registrars of boroughs the lists of which he is appointed to revise as to any matters upon which such registrar may from time to time apply to him for advice.

Notices of claims and objections in boroughs.

29. Every claim or notice of objection or appeal by this Act required to be given or delivered to or served upon the registrar shall be delivered at or sent by post to his office, and he shall, upon the request of any person personally delivering any such claim or notice, give such person a receipt for the same.

Every notice of objection, or of appeal against disallowance of an objection, shall be given in duplicate, each of the duplicates being signed by the person objecting, and the registrar shall retain one copy and serve the other on the person objected to.

Notices to be served by the registrar on any person shall be delivered at the place of abode of such person, if such place of abode be within the borough, and in other cases at the place of qualification, if any, in respect of which his name is on the registrar's list, or if such person do not reside within the borough, then any such notice may be sent by post to his place of adode.

The registrar shall retain a duplicate or copy of every notice served by him, and shall cause to be endorsed thereon a note of the day on which and of the person by whom it is delivered, or if the notice is sent by post shall, by himself or his clerk or assistant, endorse thereon a note of the day on which and the address to which the notice is posted, and any duplicate or notice so endorsed shall be evidence of the matters endorsed thereon.

Publication of lists and notices.

30. Every list and notice required to be published by the registrar shall, wherever practicable, be published by affixing and keeping for not less than three days on some conspicuous position in each street such notice or so much of any such list as respects that street; and where any notice, list, or part shall be published by affixing and keeping the same for not less than seven days on a

post office or police station, or in some other conspicuous position or positions in the neighbourhood to which such notice, list, or part of a list refers, and also on the town hall, if any, of the borough,

The registrar shall append to every part of any list which is separately published as aforesaid the street and number or other description of his office.

If any person wrongfully cover, deface, or remove any such list or any part of any such list so published as aforesaid, he shall be liable, on summary conviction, to a penalty not exceeding *five pounds.*

The registrar may, if he think fit, publish any list by advertisement, in addition to the other modes of publication herein prescribed.

Subject to the provisions of this section, one of Her Majesty's Principal Secretaries of State may include in any regulations to be made for the conduct of registrars regulations as to the publication of lists and notices.

Sale of copies of lists and registers.

31. The registrar of every borough shall supply to all persons applying at reasonable times copies of the register in force for the borough, or of any part of any such register which can be conveniently severed from the other parts.

Every registrar shall in like manner supply copies of his list, and of any lists of claims, objections, alterations, or appeals, or of any part of any such lists which can be conveniently severed from the other parts.

There shall be paid in advance for such copies by the persons applying for the same the sums prescribed in the third schedule to this Act.

Every registrar shall supply forms of claims and notices to persons applying for the same at reasonable hours, upon payment of the sums prescribed in that behalf in the schedule aforesaid.

Levy and application of costs and fines.

32. Every fine imposed and award of costs made by a revising barrister shall be imposed or made in open court by writing under the hand of the barrister, specifying the amount to be paid, and the persons by and to whom and the time when such amount is to be paid.

Any fine for neglect of duty shall be directed to be paid to the registrar or clerk of the peace, as the case may be.

In case default is made in payment of any costs or fines, the same may be levied in the manner herein-after in this Act provided for levying sums payable by overseers of the poor.

Every clerk of the peace and every registrar shall keep an account of all moneys received by him from fines or costs, and from sales

A.D. 1870.

of registers, forms, or lists, and every clerk of the peace shall pay over or account to the treasurer of the county for all moneys so received by him; and every registrar shall apply all such moneys received by him to the expenses of his office in respect of registration, and shall render an account thereof with the account of his expenses.

Expenses of registration.

33. There shall be allowed to every registrar, for his trouble and care in carrying into effect the provisions of this Act, such remuneration as the assessment authority or authorities having authority within the borough may from time to time, with the consent of the Poor Law Board, determine; and the amount of such remuneration, and also any expenses incurred by such registrar in carrying into effect the provisions of this Act, whether in the payment of persons employed by him in pursuance of the provisions of this Act or otherwise, shall be defrayed out of the moneys to be collected for the relief of the poor in the several parishes and townships wholly or in part within the borough.

The sum to be contributed by each of such parishes or townships shall be calculated by the registrar as nearly as may be according to the proportion borne to the whole number of voters on the register for the borough by the number of such voters qualified in such parish or township.

An account of the whole amount due for remuneration and expenses, and also of the proportion due from each parish and township, shall be laid by the registrar before the assessment authority or authorities as aforesaid, and each such authority shall, if they allow the accounts, give to the registrar a certificate of the sum to be paid by each such parish or township subject to such authority, and the overseers of each such parish or township shall, out of the first moneys to be collected by them for the relief of the poor in the same parish or township, pay to the registrar the sum due according to such certificate from such parish or township.

Where both the burgess list and the parliamentary lists are framed by the registrar, the word "borough" shall for the purposes of this section include every place which is included either in the parliamentary or municipal borough.

In case the overseers of any parish or township refuse or neglect to pay to the registrar the contribution due from their parish or township, according to the provisions of this section, or any part of such contribution, any justice of the peace for the county, borough, or place in which such parish or township is wholly or in part situate may, upon complaint in writing from the registrar, and after seven days notice in writing served on such overseers or one of them

grant a warrant under his hand for the levy of such contribution, or so much thereof as is unpaid, together with all costs of obtaining, serving, and executing the warrant, by distress and sale of the goods of the offenders.

In case default is made by any assessment authority or authorities in fixing a proper remuneration for a registrar, or in granting him a certificate, in pursuance of this section, the Poor Law Board shall fix such remuneration or give a certificate, as the case may be, and a certificate so given shall have the same effect as if it had been given by the proper assessment authority.

Expenses of overseers.

34. Expenses incurred by overseers of any parish or place in pursuance of the provisions of this Act may be retained by them out of the first moneys thereafter collected by them for the relief of the poor in the same parish or place.

No appeal as to fines and expenses.

35. Every order for payment of fines, certificate for expenses, and warrant for distress, to be made or granted under the provisions of this Act, shall be final and conclusive, and no writ of certiorari shall be issued in respect of any such order, certificate, or warrant.

Provision in case of incapacitation of of a registrar.

36. In case of the death or sudden illness or incapacitation of a registrar, if such registrar was or is a clerk to an assessment authority, the person who for the time being discharges the duties of clerk to such authority in the room of such registrar shall also act as and have during the time of his so acting all the powers, duties, and authorities of a registrar for the purposes of this Act. If such registrar is not a clerk to an assessment authority, the town council, if any, of the borough, or, if there be no town council, the returning officer of the borough, shall appoint some person to act in like manner as registrar until another registrar is duly appointed, or until such first-mentioned registrar becomes capable of acting.

Registrar not to interfere in elections.

37. No registrar shall, by himself, his partner, agent, or clerk, in any manner interfere in any election for the borough for which he is registrar.

Any registrar interfering in any election, in contravention of this prohibition, shall be removed by the Poor Law Board from his office of registrar, and from any office held by him over the holder whereof the said board has any control; and any other person so offending shall be liable on summary conviction to a penalty not exceeding *fifty* pounds.

Attendance of police at revision courts.

38. The chief constable, commissioner, or chief officer of police of the borough in which a revision court is held shall cause an officer of police to attend every sitting of the court, for the purpose

A.D. 1870.

of keeping order and to carry into effect any order of the revising barrister, and in case of default shall be liable to be fined in the same manner as a person who has made default in attending the court upon notice or requisition as aforesaid.

Additional revising barristers may be appointed in case of necessity.

39. The superior court of revision may, with the consent of the Treasury, upon any sudden vacancy in the office of revising barrister, or upon occasion of the illness or other sudden incapacity of a revising barrister, or in any other case where the special circumstances appear to the said court to require the appointment of additional revising barristers, at any time appoint so many additional revising barristers for the current year as to the said court may (subject to such consent) seem fit.

All the provisions of this Act as to revising barristers shall apply, so far as the same are applicable, to any additional barristers appointed under this section.

Revising barristers to make reports.

40. Every revising barrister shall, upon the completion of his circuit or circuits in any year, make a report as to the efficiency of the registration in each county or borough the lists whereof have been revised by him, and as to the number of appeals, votes, claims, or objections sustained or disallowed by him, and as to any other matter on which he may think it expedient or may be directed by one of Her Majesty's Principal Secretaries of State to report.

He shall send one copy of such report to the chief justice of the said court, and another copy to one of Her Majesty's Principal Secretaries of State.

Proceedings not to be avoided by technical defects.

41. No list or register shall be invalidated by reason of any error or defect in the preparation, revision, or publication thereof.

If in any year from any cause a register is not made out in pursuance of the provisions of this Act for a county or borough, or for any part of a county or borough, the register last in force for such county or borough or part thereof shall continue in force until a new register is duly made and takes effect.

Where any list, notice, claim, entry, or objection is by this Act directed to be made out in a particular form, it shall be sufficient if the same is made out in a form as near to such particular form as circumstances admit, or in any form not materially differing from such particular form, and no notice, claim, objection, entry, order, document, proceeding, or matter shall be invalidated by any accidental misnomer or clerical, verbal, or casual error.

Where anything is by this Act directed to be printed or written, the same may be either printed or written or partly in one form and partly in the other; provided that all lists and registers by this

Act required to be published shall, except as to any corrections therein, or any signature, address, or matter appended thereto or not part of the body thereof, be wholly printed. A.D. 1870.

Provisions as to the city of London.

42. All the provisions of this Act as to boroughs shall apply to the city of London, with the modifications following; that is to say,

(1.) The clerk to the assessment authority of the city of London union shall, until a consolidation of the unions in the said city takes effect, be the registrar for all the purposes of this Act, and the clerks to the other assessment authorities of the city of London shall act under his direction for the purposes of this Act:

(2.) The clerk of every livery company shall on or before the fifth day of June in each year make out, at the expense of such company, an alphabetical list in the form numbered (2) in the first schedule to this Act of all freemen of London being liverymen of such company, and qualified at the date of qualification, and transmit printed copies of such list signed by him to the registrar, who shall publish the same, arranged in the alphabetical order of the several companies and of the qualified liverymen under each company, in the Guildhall and the Royal Exchange, during fourteen days in the said month of June:

(3.) Subject as aforesaid, all the provisions of this Act relating to freemen shall extend to the lists of freemen and liverymen of the said city:

(4.) The secondaries of the said city and the clerks of the several livery companies of the said city shall attend the courts of revision for the said city:

(5.) Subject to the provisions of this section, all things required to be done to or by a town clerk shall in the case of the said city be done to or by the secondaries of the said city; and anything authorized to be done by a town council may be done by the lord mayor and aldermen of the said city.

Saving of the universities.

43. Nothing in this Act shall affect the universities of Oxford, Cambridge, and London.

Computation of time.

44. Where by this Act anything is limited to be done in a certain number of days, Sundays, Christmas Day, Good Friday, and public fast or thanksgiving days, shall not be reckoned in the computation of such number of days.

Repeal of Acts.

45. The Acts and parts of Acts in the fourth schedule to this Act mentioned shall be repealed, except as to any right or liability

A.D. 1870.

accrued, or the validity or invalidity of anything done at or before the time of the commencement of this Act.

Any register in force at the commencement of this Act shall, until a new register takes effect under the provisions of this Act, have the same force as if this Act had not passed.

Schedules to have force of Act.

46. The schedules to this Act shall have the same effect as if they were enacted in the body of this Act; but the superior court of revision may from time to time prescribe any different forms, and the forms so prescribed shall be laid before Parliament, and when so laid before Parliament, and unless and until disapproved by Parliament, shall have the same force and effect as if they had been prescribed by the schedules to this Act.

SCHEDULES.

FIRST SCHEDULE.

(1.) *List of Freemen.*

The list of freemen entitled to vote at the election of a member (or *members*) to serve in Parliament for the city (or *borough*) of .

Christian Name and Surname at full length.	Place of Abode.

Signed, *A.B.*, Town clerk,
(or *other official designation*).

(2.) *Lists of Freemen and Liverymen of the City of London.*

The list of freemen of the city of London, being liverymen of the company of entitled to vote in the election of members for the city of London.

The company of .

Christian Name and Surname at full length.	Place of Abode.

Signed, *A.B.*, Clerk of the
company of .

A.D. 1870.

(3.) *Registrar's List.*

List of persons entitled to vote at the election of a member (or *members*) for the city (or *borough*) of .

Brick Street.

No. in Street.	Name of Voter.	Qualification.	Memoranda.
1	*Abel Masters* - -	*Reserved rights as freeholder.*	
„	*John Jones* - -	*Occupier of dwelling house.*	
2	*William Smith* -	*Counting-house* -	*Resides at Wood Villa, out the limits borough.*
3	*Vacant.*		
4	*Thomas Brown* -	*Occupier of dwelling house and freeman.*	
„	*Alfred Dyer* - -	*Lodger.*	
5	*William Robinson* -	*Freeman.*	
6	(*No.* 10, *Green Street*)	*Shop* - -	*James Wilson resides at* 10, *Green Street.*
7	*Richard Thomson* -	*Occupier of dwelling house.*	
„	*John Wilkins* - -	*Lodger.*	

(4.) *Registrar's List in a Parliamentary Borough being also a Municipal Borough.*

List of the persons entitled to vote at the election of a member (or *members*) for the city (or *borough*) of , and for the burgesses for the borough.

Brick Street.

No. in Street.	Christian Name and Surname at full length.	Nature of Qualification.	Parliamentary Voter.	Burgess.
1	*Abel Masters* -	*Reserved rights as freeholder.*	+	+
2	*Adam Brown* -	*Occupier of dwelling house.*	+	+
3	*Jane Jenkyns* -	*Occupation of house* -	- -	+
	Alfred Dyer -	*Lodger* - -	+	
	William Thomas -	*Freeman* - -	+	
4	*Henry James* -	*Counting-house* -	+	+

Signed, *A.B.*, Registrar.

(5.) *List of Claims, Objections, and Amendments.*

Brick Street.

No. in Street.	Name of Voter.	Objection, Claim, or Amendment.	Memorandum of Registrar.
2	*John Jones* - -	*Claims as occupier of dwelling house.*	*Vote disallowed.*
4	*Thomas Brown* -	*Objected to as occupier*	*Vote disallowed as occupier, allowed as freeman.*
15	*John Robinson* -	*Claim as lodger* -	*Vote disallowed.*
22	*William Williams* -	*Objected to as lodger* -	*Vote allowed.*
27	*Richard Johnson* -	*Objected to as occupier*	*Vote allowed.*
33	*James Green* - -	*Objected to as freeman*	*Vote allowed.*
37	*Arthur Wilkins* -	*On last register of lodgers.*	*Vote disallowed.*
39	*Abraham Lewis* -	*Entered as occupier, objected to by registrar.*	*Disallowed.*
40	*Thomas Thomson* -	*Inserted by registrar as occupier.*	*Allowed.*
47	*James Williams* -	*Entered as freeman, objected by registrar.*	*Disallowed.*
49	*John Thomson* -	*Claim as freeman.*	*Vote allowed.*
52	*William Wilkinson* -	*Occupier of dwelling house.*	*Real Christian name John; vote allowed.*
59	*James Jenkins* -	*Occupier of dwelling house.*	*Real residence No. 57, Brick Street; vote allowed.*

Signed *A.B.*, Registrar.

(6.) *List of Claims, Objections, and Alterations where the Parliamentary Borough is also a Municipal Borough.*

The like form as in No. (5.); but the column stating the decision of the registrar must also state which vote is in question, thus:—

Decision of Registrar as to the Vote.

—	Parliamentary Vote.	Burgess Vote.
A.B.	*Allowed.*	*Allowed.*
A.D.	*Disallowed.*	
H.M.	*Disallowed.*	*Allowed.*

A blank being left as to either qualification which is not in question.

SECOND SCHEDULE.

(1.) *Form of New Lodger's Claim.*

To the registrar of the city (or *borough*) of .

I claim to be inserted in the list of voters in respect of the under-mentioned lodgings.

Christian Name and Surname at full length.	Description of Rooms occupied, and whether furnished or not.	Street and House in which the Lodgings are situate.	Amount of Rent paid.	To whom the Rent is paid.
John Stevens	*Two rooms, first-floor, furnished.*	*No. 50, Brick Street.*	16*s. a week*	*Wm. Johnson.*

I have occupied the above-mentioned lodgings from the day of 18 , down to the date of this claim, being the day of 18 .

Signed, *A.B.*, the claimant.

(2.) *Notice of Claim by a Freeman or by a Freeman and Liveryman of the City of London.*

To the registrar of the city (or *borough*) of (or *to the registrar of the city of London*).

I claim to be inserted in the list of freemen (or, *of freemen and liverymen*) for the city (or *borough*) of , and my qualification is as freeman of by birth (or *servitude, &c.*), (or *is as freeman of the city of London, and liveryman of the company of*), and that my place of abode is at .

Signed, *A.B.*

(3.) *Claim of a Person other than a Freeman or New Lodger to be inserted in a List of Voters, or to be inserted for a different Qualification.*

To the registrar of .

I claim to be inserted (or *to have my qualification amended*) in the list of voters for the city (or *borough*) of , as a parliamentary voter (or *as a burgess*, or *as a parliamentary voter, and also as a burgess*), and my qualification is as stated below.

Street.	Number.	Place of Abode.	Nature of Qualification.

Signed, *A.B.*

(4.) *Objection to a Vote or Claim.*

To the registrar of the city (or *borough*) of .

I object to the name of A.B., who is described as follows (*here set out the entry applicable to A.B. in the list*), being retained on the list of voters (*as a parliamentary voter*, or *as a burgess*, or *either as a parliamentary voter, or as a burgess*) on the following grounds, viz. :

1. (*e.g.*, that he has not occupied for ten months to May 31).
2.
3.

Signed, *C.D.*, on the list of voters for the city (or *borough*) of .

(5.) *Registrar's Notice of Objection or Alteration.*

To Mr. (or *Mrs.*) A.B. of .

I object to your vote (or *claim*) as a parliamentary voter (or *as a burgess*, or *as a parliamentary elector, and also as a burgess*) on the grounds following; viz. :

1.
2.
3.

Any information showing that you are entitled to vote (or *that no amendment ought to be made*) may be sent to me before the twentieth instant.

Signed, *A.B.*, Registrar.

(6.) *Notice of Appeal to a Revising Barrister against a Vote.*

To the registrar of the city (or *borough*) of .

I intend to appeal against the vote of A.B. of , on the following grounds; viz :

Signed, C.D., of , on the list for a qualification situate at (or *as a freeman*).

Note.—If the parliamentary borough is also a municipal borough, the notice must state which vote is objected to.

(7.) *Notice of Appeal to a Revising Barrister against Disallowance by the Registrar of a Vote or Claim.*

To the registrar of the city (or *borough*) of .

I intend to appeal against your disallowance of my vote.

Signed *A.B.* of (*here state the premises or right in respect of which the appellant claims*).

Note.—*If the parliamentary borough is also a municipal borough, the notice must state whether the appellant claims as a parliamentary voter, or as a burgess or both.*

A.D. 1870.

THIRD SCHEDULE.

Rates of Payment for Copies of Lists or Registers, or Forms of Notices or Claims.

For any list or register, or part of a list or register—

	d.
Not exceeding fifty names - - - - -	*2*
Every fifty names after the first fifty - - - -	*1*
For forms of notices or claims—	
Any number not exceeding ten - - - - -	*2*
Every number of ten after the first ten - - - -	*1*

FOURTH SCHEDUDE.

Acts repealed.

Registration of Voters (No. 2.)

A

B I L L

To amend the laws relating to the Registration of Voters in England and Wales.

(*Prepared and brought in by Mr. Vernon Harcourt, Sir Charles Dilke, and Mr. Rathbone.*

Ordered, by The House of Commons, *to be Printed,* 30 *May* 1870.

[Bill 149.]

Under 4 *oz.*

A

B I L L

FOR

The better Apportionment of Rents and other periodical Payments.

A.D. 1870.

WHEREAS rents and some other periodical payments are not at common law apportionable (like interest on money lent) in respect of time, and for remedy of some of the mischiefs and inconveniences thereby arising divers statutes have been passed in the eleventh year of the reign of His late Majesty King George the Second (chapter nineteen), and in the session of Parliament holden in the fourth and fifth years of His late Majesty King William the Fourth (chapter twenty-two), and in the session of Parliament held in the sixth and seventh years of His late Majesty King William the Fourth (chapter seventy-one), and in the session of Parliament held in the fourteenth and fifteenth years of Her present Majesty (chapter twenty-five):

And whereas it is expedient to make provision for the remedy of all such mischiefs and inconveniences:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited for all purposes as "The Apportionment Act, 1870."

Rents and periodical payments shall accrue from day to day and be apportionable in respect of time.

2. From and after the *passing of this Act* all rents, annuities, dividends, and other periodical payments in the nature of income (whether reserved or made payable under an instrument in writing or otherwise) shall, like interest on money lent, be considered as accruing from day to day, and shall be apportionable in respect of time accordingly.

Apportioned part of rent, &c. shall be

3. The apportioned part of any such rent, annuity, dividend, or other payment shall be payable or recoverable in the case of a

A.D. 1870.

payable when the next entire portion shall have become due.

continuing rent, annuity, or other such payment when the entire portion of which such apportioned part shall form part shall become due and payable, and not before, and in the case of a rent, annuity, or other such payment determined by re-entry, death, or otherwise when the next entire portion of the same would have been payable if the same had not so determined, and not before.

Persons shall have the same remedies for recovering apportioned parts as for entire portions.

4. All persons and their respective heirs, executors, administrators, and assigns, and also the executors, administrators, and assigns respectively of persons whose interests determine with their own deaths, shall have such or the same remedies at law and in equity for recovering such apportioned parts as aforesaid when payable (allowing proportionate parts of all just allowances) as they respectively would have had for recovering such entire portions as aforesaid if entitled thereto respectively; provided that persons liable to pay rents reserved out of or charged on lands or other hereditaments of any tenure, and the same lands or other hereditaments, shall not be resorted to for any such apportioned part forming part of an entire or continuing rent as aforesaid specifically, but the entire or continuing rent, including such apportioned part, shall be recovered and received by the heir or other person who, if this Act had not been passed, would have been entitled to such entire or continuing rent, and such apportioned part shall be recoverable from such heir or other person by the executors or other parties entitled under this Act to the same by action at law or suit in equity.

Proviso as to rents reserved in certain cases.

Interpretation of terms.

5. In the construction of this Act—

The word "rents" includes rent service, rentcharge, and rent seck, and also tithes and all annual payments in lieu of or in the nature of tithe.

The word "annuities" includes salaries and pensions.

The word "dividends" includes (besides the dividends strictly so called) all payments made by the name of dividend, bonus, or otherwise out of the revenue of trading or other public companies, divisible between all or any of the members of such respective companies, whether such payments shall be usually made or declared at any fixed times or otherwise; and all such divisible revenue shall, for the purposes of this Act, be deemed to have accrued by equal daily increment during and within the period for or in respect of which the payment of the same revenue shall be declared or expressed to be made, but the said word "dividend" does not include payments in the nature of a return or reimbursement of capital.

Act not to apply to policies of assurance ;

6. Nothing in this Act contained shall render apportionable any annual sums made payable in policies of assurance of any description.

nor to any case in which an express stipulation to the contrary has been made.

7. The provisions of this Act shall not extend to any case in which it is or shall be expressly stipulated that no apportionment shall take place.

Rents and Periodical Payments.

A

BILL

For the better Apportionment of Rents and other periodical Payments.

(*Prepared and brought in by Sir Roundell Palmer and Mr. Amphlett.*)

Ordered, by The House of Commons, *to be Printed*, 16 *June* 1870.

[Bill 169.]

Under 1 *oz.*

A

B I L L

TO

Repeal the Minority Clauses of the Representation of the People Act, 1867, and the Representation of the People (Scotland) Act, 1868. A.D. 1870.

WHEREAS it is expedient to restore to the electors in the several counties and boroughs of the United Kingdom those rights which by the ancient law and custom of the realm belonged to such electors of voting at elections for so many persons as there are members to be returned to represent such several counties and boroughs in the Commons House of Parliament:

Be it therefore hereby enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited as the Minority Clauses Repeal Act, 1870.

Repeal of the 9th and 10th sections of 30 & 31 Vict. c. 102. and the 7th section of 31 & 32 Vict. c. 48.

2. The ninth and tenth sections of the Representation of the People Act, 1867, and the seventh section of the Representation of the People (Scotland) Act, 1868, are hereby repealed.

Representation of the People Acts Amendment.

A

B I L L

To repeal the Minority Clauses of the Representation of the People Act, 1867, and the Representation of the People (Scotland) Act, 1868.

(*Prepared and brought in by Mr. Hardcastle, Mr. Vernon Harcourt, and Mr. Thomas Potter.*)

Ordered, by The House of Commons, *to be Printed,* 15 *February* 1870.

[Bill 28.]

Under 1 *oz.*

A

BILL

FOR

Confirming a Scheme of the Charity Commissioners for certain charities in the parishes of Saint Olave and Saint John, in the borough of Southwark. A.D. 1870.

WHEREAS the Charity Commissioners for England and Wales, in their report to Her Majesty of their proceedings during the year one thousand eight hundred and sixty-nine, have reported that they have provisionally approved and certified (among other schemes for the application and management of charities) a scheme for certain charities belonging jointly to the parishes of Saint Olave and Saint John in the borough of Southwark, and for several charities belonging exclusively to the said parish of Saint John, and such scheme is set out in the appendix to their said report: 17th Report, dated 26th February 1870.

And whereas it is expedient that the said scheme as the same is set out in the schedule to this Act should be confirmed:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1. The said scheme shall be confirmed and take effect. Scheme confirmed.

A.D. 1870.

SCHEDULE to the Act.

In the matter of the several charities belonging jointly to the parishes of Saint Olave and Saint John in the borough of Southwark, and also of several charities belonging exclusively to the said parish of Saint John.

Scheme for the Management and Regulation of the above-mentioned Charities.

PART I.

Constitution of Trustees and Management Clauses.

Trust.

1. The charities shall be called "The United Charities of Saint Olave and Saint John, Southwark," and shall be administered by a body of trustees, whose full number shall be sixteen. Of these there shall be six entitled to act ex-officio and ten non-official; and of the non-official trustees six shall be elective and four permanent.

Ex-officio trustees.

2. The rectors, the senior churchwardens, heretofore called the rental wardens, and the senior overseers of the poor of the said parishes of Saint Olave and Saint John shall be the six ex-officio trustees.

Qualifications of non-official trustees.

3. The non-official trustees shall be persons able and willing to discharge the duties of the trust, and shall be resident in London or within a convenient distance of it.

First creation of non-official trustees.

4. At the annual Easter meeting of the vestry of each parish which shall take place next after the establishment of this scheme, five persons shall be elected trustees by the vestry of the parish of Saint Olave, and five by the vestry of the parish of Saint John, and of such five persons in each parish three shall be declared at the time of election to be elective trustees, and two to be permanent trustees.

Duration and succession of elective trustees.

5. One of such elective trustees in each parish shall go out of office in every year, but shall be eligible for re-election. The rotation in which the three first elective trustees in each parish shall go out of office shall be decided by lot. Subsequent elective trustees shall go out of office in rotation according to the date of their election, one in each parish going out at Easter every year, and the vacancies so created shall thereupon be filled up by the vestry of each parish at its Easter meeting.

6. If any elective trustee dies, or ceases to be a trustee otherwise than by his retirement in course of rotation, the vestry of the parish by whom such trustee was elected shall at their next Easter meeting elect another person to be

a trustee in his place; and every trustee elected to supply any such casual vacancy shall go out of office at the time when the term of office of the trustee in whose place he is elected would have expired in course of rotation.

Duration and succession of permanent trustees.

7. The permanent trustees shall continue trustees for life, or until their offices become otherwise vacant, as mentioned in clause eight of this scheme. And upon any vacancy in the post of a permanent trustee a new trustee, qualified as aforesaid, shall be appointed by the other trustees at their first meeting which shall be held after the lapse of one calendar month, by a resolution to be forthwith notified by them, with all proper information, to the Charity Commissioners for England and Wales, at their office in London; but no such appointment shall be valid until it has been approved by the said commissioners, and their approval certified under their official seal.

What shall vacate the post of a non-official trustee.

8. If any non-official trustee shall resign his office, which he may do by writing addressed to the trustees, or shall become bankrupt or incapacitated to act, or shall cease to be resident in London or within a convenient distance of it, or shall not attend any meeting of the trustees during a consecutive period of two years, the trustees shall cause a record of the fact to be entered in their books, and upon such record being entered the trustee to whom it applies shall immediately cease to be a trustee.

9. If any person, being already a non-official trustee, enters upon an office entitling him to be an ex-officio trustee, the number of trustees shall during such union of characters be considered as reduced by one, and the person filling two characters shall not on that account be entitled to more than one vote.

General meetings.

10. The trustees shall hold a general meeting once at least in every calendar month, to transact the general business of the charities, which meeting shall be held on the first Monday in the month, or on such other stated day as the trustees shall from time to time determine. The meetings of the trustees shall be held in the vestry hall of Saint Olave, or in such other convenient place within one of the said two parishes as the said trustees shall from time to time determine.

Special meetings.

11. A special meeting may at any time be summoned on the requisition of any three trustees, and the clerk shall issue summonses for such special meeting, whenever he may be required so to do by notice in writing given by any three trustees, specifying the object for which such special meeting is summoned; provided that at least two clear days' notice in writing of such special meeting, and of the object for which it is summoned, shall be left at or sent by post to the residences of the other trustees; and provided that no business shall be transacted at such special meeting other than the business specified in the notice thereof.

Chairman and vice-chairman.

12. A chairman and vice-chairman shall be elected by the trustees from among their number annually at the first meeting in every year. One of them shall be taken from the official or elective trustees of one parish, and the other from those of the other parish; subject to this regulation, either or both of them may be re-elected.

Resignation by chairman and vice-chairman.

13. The chairman or vice-chairman may resign by notice in writing given to the clerk of the trustees.

A.D. 1870.

Vacancies in office of chairmanand vice-chairman.

14. Any vacancy in the office of chairman or vice-chairman occurring by the holder of the office resigning the same, or ceasing to be a trustee, shall be filled up by the election of a duly qualified trustee. Such election shall take place either at the next ordinary meeting or at a meeting specially convened for that purpose.

Quorum.

15. At every meeting five trustees shall be a quorum.

Chairman.

The chairman, or in his absence the vice-chairman, shall take the chair at the time appointed for holding the meeting; but if neither of them be present within five minutes after that time, the trustees then present shall elect one of themselves as chairman of the meeting; and in the event of an equality of votes in the election of chairman the question shall be decided by lot between the candidates having such equality of votes. The chairman of the meeting (whether the chairman or vice-chairman of the trustees, or a chairman elected for the occasion,) shall in case of equality of votes have a second or casting vote.

Majority to bind.

16. The acts of a majority of the trustees present at any meeting properly held shall bind the whole body.

Postponement of meetings.

17. If five trustees shall not appear within fifteen minutes from the time appointed for holding any meeting, either general or special, the trustee or trustees present may postpone such meeting until a subsequent day, provided that notice of such postponement shall be given or sent by post by the clerk to each trustee.

Adjournment of meetings failing quorum.

18. If no trustee shall appear within fifteen minutes of the time appointed for holding any of the general monthly meetings, the clerk shall adjourn the meeting to a day not more than seven days later than that from which it is adjourned, and shall forthwith send notice thereof to all the trustees.

Adjournment of meetings to complete business.

19. Any meeting of the trustees may be adjourned by a majority of the trustees present, at such time and place within the said two parishes or one of them as they may think fit, provided that notice of the adjourned meeting (and, if the majority of the trustees present shall so direct, of the matter or matters to be considered thereat,) shall be given or sent by post by the clerk to all the trustees, and provided that the trustee who was chairman of the original meeting shall, if present at the time appointed, be ipso facto chairman of the adjourned meeting, and if he be not present the same rule shall apply as if the adjourned meeting had been an original meeting.

Treasurers.

20. The chairman and vice-chairman for the time being of the trustees shall be joint treasurers, and all cheques or orders for the payment of money shall be signed by one of them, and countersigned by the clerk. No such cheque or order shall be signed save on the authority of a vote of a meeting, and except by such a cheque or order so signed no payment shall be made out of the funds belonging to the said charities.

Auditors.

21. Auditors shall be appointed annually. The trustees shall appoint one, and the vestries of the respective parishes shall appoint one each; and the said auditors shall audit the accounts of the said trustees to the thirty-first December

in every year, and a balance sheet of the same shall be deposited by the trustees at the office of the vestry clerk of each parish, on or before the twenty-fifth March following. A.D. 1870.

Minute and account books.

22. The trustees shall provide a minute book, wherein shall be entered a minute of their proceedings at every meeting, and shall provide all necessary account books, wherein shall be entered an account of the receipts and payments on behalf of the several charities respectively, which accounts shall be kept separate.

Clerk.

23. The trustees shall appoint a clerk, who shall hold office during the pleasure of the trustees, and who shall receive such salary as the trustees may from time to time think fit. The clerk shall keep the accounts of the charities, and receive the rents and income, and make the several payments thereout, under the immediate control and superintendence of the trustees, who shall be responsible for the due application by him of all such moneys; and he shall perform such further duties connected with the administration of the charity as shall be reasonably required of him by the trustees.

Other officers.

24. The trustees may also appoint such other officer or officers, if any, as shall be necessary for the purposes of the trust, and pay them such salary or salaries as they may from time to time think fit.

Management of estates.

25. The trustees shall have the sole management and the letting of the properties of the said several charities mentioned in the first schedule hereto, and the sole receipt and application of the rents and income thereof, to the exclusion of all trusts and powers heretofore vested in or exercised by the rector and churchwardens, or churchwardens and overseers, or other inhabitants of the said parishes or either of them.

Letting of estates.

26. All the estates and property of the charities not required to be retained or occupied for the purposes thereof shall be let and otherwise managed by the trustees, or by their clerk and treasurer acting under their control and superintendence, as herein-before provided, who shall receive all the income; and in every case public notice of the intention to let any land or other property shall be given by the trustees in the parishes of Saint Olave and Saint John, and also in the parish or parishes in which such land or property shall be situate, in such manner as the trustees shall consider most effectual for giving full publicity to such intention.

Powers of dealing with property.

27. The powers of the trustees to let, sell, exchange, mortgage, or otherwise dispose of the lands belonging to the charities shall be the ordinary powers appertaining by law to trustees of charities, and subject to the provisions of the Charitable Trusts Acts.

Vesting property.

28. All lands and hereditaments, not being copyhold, belonging to or held in trust for the charities, and all terms, estates, and interests therein, shall, from and after the passing of this scheme, vest in "The Official Trustee of Charity Lands" and his successors in trust for the charities; and all stock

A.D. 1870. in the public funds and other securities shall be transferred to and vest in "The Official Trustees of Charitable Funds," by whom the dividends and income arising therefrom shall be from time to time paid to the local trustees or their order.

PART II.

Administration and application of income.

Payment of out-goings.

29. The trustees shall pay the salaries and remuneration of their clerk and other officers, and the other general expenses of and incident to the common administration of all the several charities in the first and second schedules mentioned, out of the income of such several charities, and shall pay any other special expenses, if any, which may attend the management and receipt of the rents and income of any of the said charities in particular, out of the income of such charities respectively, and shall apply the remaining net rents and income of the several charities in manner following:

Application of charities.

30. As to Searle's gift for sermons, and the rentcharges payable by the governors of the grammar school for repairing and adorning the parish churches of Saint Olave and Saint John:

The clear income of these charities shall be applied by the trustees to the several purposes to which the same are now applicable.

31. As to all the other charities mentioned in the first and second schedules hereto:

The clear income of these charities which shall remain after payment thereout of all necessary and proper outgoings and expenses of management shall be applied by the trustees in one or more of the following modes:

32. Such income may be applied to the benefit of the most deserving and necessitous inhabitants of the parishes of Saint Olave and Saint John, Southwark. The recipients shall be selected by the trustees, who shall provide them with clothing, bedding, fuel, medical or other aid in sickness, food or other articles in kind, or with pecuniary aid in special cases, as shall be considered by the trustees to be most advantageous to them, and that either directly or by aiding the funds of any clothing or other parochial clubs or associations to which they belong, the objects of which shall be to provide them with like benefits, but so nevertheless that no funds of the charity shall be applied directly or indirectly with the view of relieving or diminishing the poor rates of the said parishes:

33. The trustees may, in their discretion, apply such portion of the income as they think fit in annual subscriptions or donations in aid of the funds of any convalescent or other hospital or infirmary, in consideration of any reasonable arrangements to be made for the benefit of the poor of the parishes of Saint Olave and Saint John, Southwark:

34. The trustees may, in their discretion, apply such part of the income as they think fit towards the support of any school or schools for the education of

the poorer classes residing in the said parishes of Saint Olave and Saint John, so long as every such school shall be efficiently and properly conducted, and there shall not be any rule or practice in the management thereof which shall operate to exclude any children from admission thereto upon the sole ground of their particular religious creed or persuasion : A.D. 1870.

35. Or the trustees may, in their discretion, select boys or girls from among the most meritorious children at any such school, and award them small annual payments or exhibitions with the view of assisting or inducing the parents of promising scholars to continue their general education to a somewhat later period of life.

36. Such portions of the Acts sixth George Second, chapter eleven, and ninth George Fourth, chapter forty-five, as are inconsistent with the provisions of this scheme, shall be and the same are hereby repealed, provided that this repeal shall not affect the validity of anything already done or suffered, or any remedy or proceeding in respect thereof. Repeal of Acts.

37. This scheme shall be printed, and copies thereof sold at such reasonable price as the trustees may direct.

38. This scheme may from time to time be amended or altered under any jurisdiction empowered to establish schemes for the administration of endowed charities in England, as effectually as if the trusts hereby created had been established by the respective founders or under any such ordinary jurisdictions as aforesaid. Variation of scheme.

The FIRST SCHEDULE above referred to.

The Walcot Estate.

Description of Property.	Purposes to which applicable.
A freehold estate situate in the parish of Saint Mary, Lambeth, in the county of Surrey, consisting of— Thirteen houses, 114 to 126 inclusive, on the south-east side of Lambeth Walk. Thirty-four houses, 1 to 34 inclusive, on the south-west side of Walnut Tree Walk. Fourteen houses on the north-east side of Walnut Tree Walk, 53 to 66 inclusive. Eighteen houses on the west side of Kennington Road, 114, 116, 118, 120, 122, 124, 126, 128, 130, 132, 134, 148, 150, 152, 154, 156, 158, and 160. A small piece of ground, being part of the forecourt of the house 162 on the west side of Kennington Road. An angular piece of ground in front of No. 175, Kennington Road.	To and amongst the most needy and poor people of the parishes.

A.D. 1870.

Red Rose Charity.

Description of Property.	Purposes to which applicable.
A leasehold estate in the parish of Saint John, Horselydown, Southwark, in the county of Surrey, held under a lease dated the 3rd October 1656, for the term of 500 years from Midsummer Day then last, at the yearly rent of a red rose, from the governors of the possessions, revenues, and goods of the Free Grammar School of Queen Elizabeth, of the parishioners of the parish of Saint Olave, Southwark, aforesaid, the particulars of which are as follows: A builder's warehouse next Saint John's churchyard in Fair Street. Three houses adjoining, being Nos. 6, 5, and 4, and a carpenter's shop next No. 4. Four houses and chapel in Fair Street, known as Nos. 69, 70, 71, and 72. Seven tenements in Artillery Lane, Fair Street. Six houses in Fair Street, Nos. 73, 74, 75, 76 (a public-house called the "Duke of York"), 77, and 78 (a public-house called the "King of Prussia"), and two houses adjoining in Parish Street, Nos. 41 and 40.	To and amongst the most needy and poor people of the parishes.
A leasehold estate in the parish of Meopham in the county of Kent, demised by the said governors by indenture, dated the 5th August 1846, for the term of 310 years, at the yearly rent of a red rose. The estate consists of a messuage, barn, and 16 acres and 2 perches of land.	
Another leasehold estate situate at Culverstone Green in the said parish of Meopham, and adjacent to the above estate, which is to be demised by the said governors for the term of 307 years from the 24th June 1849, at the yearly rent of a red rose. The estate consists of a beershop called the "Plough," with the brew-house, outhouse, stable, garden, and 2 a. 3 r. 9 p. thereto belonging.	
A leasehold estate, consisting of 86 acres of land, situate in the parish of Rudgwick in the county of Sussex, demised by the said governors by indenture, dated the 20th June 1854, for 302 years, at the yearly rent of red rose.	

A.D. 1870.

Dowsett's Charity.

Description of Property.	Purposes to which applicable.
The perpetual rents, amounting to 3*l.* 8*s.* per annum net.	Towards a free school in the parishes for the poor men's children of the parishes, and to 40 poor marriages in the parishes, and for faggots and coals yearly amongst the poorest people in the parishes.

Scragg's Charity.

Ditto, 6*s.* 8*d.* per annum - -	Amongst the householders of the parishes.

Skydmore's Charity.

Ditto, 1*l.* per annum - -	Amongst the poor people in the parishes in coals or other fuel in October.

Swaine's Charity.

Ditto, 5*s.* per annum - -	To the poor of the parishes.

Bridge House Charity.

Ditto, 2*l.* 13*s.* 4*d.* per annum - -	Ditto.

Turville's Charity.

Perpetual annuity of 5*l.* per annum -	Amongst the poorest and most needy in the parishes.

Terrell's Charity.

Ditto, 5*l.* per annum - -	In coals amongst the poor people of the parishes.

Henry Smith's Charity.

Fee-farm rent, 30*l.* per annum.		Poor of the parishes.
Addition thereto, under Order of Chancery, dated June 1854, amounting per year ending 31st December 1863 to - -	22*l.* 19*s.* 6*d.* per ann.	Ditto.

Paradine's and Somers's and other Charities.

Lands containing 29a. 3r. 24p., in Westley and Fornham All Saints, county of Suffolk.	Annual rent, 55*l.*	Ditto.

Blackman's Charity.

Three pieces of land containing 8a. 1r. 30p., at Sydenham in the parish of Lewisham in the county of Kent - - -	Annual rent, 36*l.*	Ditto.

A.D. 1870.

MARSHALL'S CHARITY.

Description of Property.		Purposes to which applicable.
Leasehold house at the corner of Horselydown Lane and Queen Elizabeth Street, held under indenture dated 2nd April 1667, for a term of 493 years from Michaelmas 1667, at the yearly rent of 1*s.* 4*d.* - -	Annual rent 26*l.*	Godly poor of honest life and conversation, and of good reputation, of the parishes, in bread or money therein, to be called the "Gift of God's Providence."
39*l.* 5*s.* 6*d.* consols.		Ditto.

MANN'S CHARITY.

Fee-farm rent, 10*l.* per annum.	Poor of the parishes.

HOSKIN'S CHARITY.

Ditto, 2*l.* per annum.	To the use of the ancient and poorest people inhabiting in the parishes on St. Thomas' Day.

WHITWORTH'S GIFT.

Fee-farm rent, 2*l.* per annum.	Among 20 poor old men or women of the parishes half-yearly, on the 14th day after Michaelmas and Lady Day.

BARNARD HYDE'S CHARITY.

Fee-farm rent, 4*l.* 40*s.* per annum, payable every tenth year.	Among 54 poor widows or maids of the parishes, to enable them to buy clothes or other necessaries.

DICKINSON'S CHARITY.

Alternate payment out of certain rents for apprenticing boys of the parish.	In placing poor children of the parishes apprentices to some handy trade yearly.

SIR JOHN FENNER'S CHARITY.

One undivided 10th of lands at Sproughton near Ipswich.	For the buying and providing yearly of 20 Bibles of the Canonical Scriptures only, of the smallest volume, all printed on good paper and handsomely bound with clasps, to such young persons of the parishes as are not able to buy them books.

MARTIN'S CHARITY.

42a. 1r. 23p. of freehold land called Forerriders, in the parish of Nevendon, county of Essex - - -	Rent 65*l.*	*Late.*—For buying Bibles in the English language for poor men's children. *For the future.*—To expend out of the income of this charity 20*l.* yearly in buying Bibles in the English language for poor men's children of the parishes, and to apply the residue of the income of this charity for the poor of the parishes.
248*l.* 6*s.* 2*d.* consols in the name of the Accountant General of the Court of Chancery.		
67*l.* 8*s.* 7*d.* consols in the names of Walker and others.		

Roger Harry Young's Gift.

Description of Property.		Purposes to which applicable.
Messuage in Bermondsey Street - -	Rent 1*l.*	To the churchwardens and overseers for distributing of bread by them for the poor of the parishes.

Sir Thomas Cambell's Gift.

The right to an annual supply, by the city of London, of a quantity of coal, now ten tons, subject to an annual payment for the same, now at the rate of 5*l.* 17*s.* 9*d.* per annum.	To the poorest parishioners of the parish at 5*d.* per bushel.

Searle's Gift.

Fee-farm rent out of lands in Kent, 6*l.* per annum, less land tax.	Three fifths to the rector of St. Olave's, and two fifths to the rector of St. John's for preaching 12 sermons yearly.

Rentcharges payable by Governors of Grammar School.

Fee-farm rent, 12*l.* per annum. Ditto, 4*l.* ditto.	Three fifths to the churchwardens of St. Olave's, for repairing and adorning the parish church of St. Olave's, and two fifths to the churchwardens of St. John's, for repairing and adorning the parish church of St. John's.

Rentcharge payable by Magdalen College, Oxon.

Fee-farm rent out of land in Isle of Ducks, 15*l.* per annum.	For the poor of the parishes.

The SECOND SCHEDULE above referred to.

Lempriere's Charity.

Description of Property.	Purposes to which applicable.
312*l.* 1*s.* 1*d.* consols standing in the names of the Rev. James Ralph and others.	The poor of the parish of St. John.

Regan's Charity.

269*l.* 5*s.* 6*d.* consols standing in the names of Thomas Starling Benson, Esq., and others.	Such poor persons residing in the workhouse of the parish of St. John as the trustees should think proper.

Hayardahl's Charity.

90*l.* new 3*l.* per cents. standing in the names of Thomas Flockton and others.	For bread to be given to the poor of the parish of St. John on Christmas Day.

Charities.

A

BILL

For confirming a Scheme of the Charity Commissioners for certain charities in the parishes of Saint Olave and Saint John, in the borough of Southwark.

(*Prepared and brought in by Mr. William Edward Forster and Mr. Secretary Bruce.*)

Ordered, by The House of Commons, *to be Printed*, 30 *May* 1870.

[Bill 152.]

Under 2 *oz.*

A

B I L L

TO

Enable owners and occupiers of property in certain districts to prevent the common sale of intoxicating liquors within such districts. A.D. 1870.

WHEREAS the common sale of intoxicating liquors is a fruitful source of crime, immorality, pauperism, disease, insanity, and premature death, whereby not only the individuals who give way to drinking habits are plunged into misery, but grievous wrong is done to the persons and property of Her Majesty's subjects at large, and the public rates and taxes are greatly augmented:

And whereas it is right and expedient to confer upon the ratepayers of cities, boroughs, parishes, and townships the power to prohibit such common sale as aforesaid:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Adoption of this Act.

1. At any time from and after the *passing of this Act* it shall be lawful for or more ratepayers residing in any municipal borough or parish, by notice in writing under their hands, to require the mayor of such municipal borough or the overseers of the poor of such parish to take the votes of the ratepayers of such municipal borough or parish respectively as to the propriety of bringing into operation therein the provisions of this Act; and the mayor or overseers as aforesaid, within

On requisition of ratepayers, notice of time of voting to be given.

days of receiving such requisition, shall cause a public notice to be affixed on or near to the town hall of such borough, and on or near to the outer and principal door of every church or chapel within such borough or parish, and shall also cause notice to be inserted in some newspaper published in such borough or parish, or, if there be none so published, in some newspaper published in the county in which such borough or parish is situate, specifying on what day, not earlier than days after the publication

A.D. 1870.

of the said notices, the ratepayers of such borough or parish are required to signify their votes for or against the adoption of this Act.

Qualification of voters.

2. Every person who is rated to the relief of the poor or entitled to vote in the election of guardians of the poor for the borough or parish in which the votes are to be taken shall be entitled to one vote for or against the adoption of this Act.

Mode of voting.

3. The mayor of such borough or the overseers of such parish shall cause voting papers, in the form contained in the schedule (A.) to this Act annexed, to be prepared, and shall, three days before the day appointed for voting as aforesaid, cause one of such papers to be delivered at the residence of each person entitled to vote as aforesaid; and each voter shall upon the voting paper so delivered signify by writing the word yes or no upon the said paper, and by signing his name thereto, whether he votes for or against the adoption of this Act: provided always, that if any voter cannot write he shall affix his mark at the foot of the voting paper in the presence of a witness, who shall fill up the voting paper in the presence of the voter, and shall attest and write the name of the voter upon the same.

Collection of votes.

4. The mayor of such borough or the overseers of such parish shall cause the voting papers to be collected on the day appointed for the voting as aforesaid by persons employed by them for the purpose, as he or they shall direct; but no voting paper shall be received or admitted unless the same have been delivered at the residence of the voter as aforesaid, nor unless the same be collected by the persons so employed for that purpose: provided always, that if any person qualified to vote shall not have received a voting paper as aforesaid, he shall, on application, on or before the day of voting, to the said mayor or overseers, be entitled to receive a voting paper, and to fill up and sign the same in his or their presence, and then and there deliver the same to him or them: Provided also, that in case any voting paper duly delivered shall not have been duly collected through the default of the said persons so employed to collect the same, the voter in person may deliver the same to the said mayor or overseers before twelve at noon on the day following the day of voting.

Examination of votes, and declaration of result.

5. The mayor of such borough or the overseers of such parish shall, after twelve at noon on the day immediately following the day of voting, examine the said votes, and shall declare, as hereafter mentioned, whether a majority of duly qualified votes has been given in favour of the adoption of this Act, and the adoption or

non-adoption of this Act within such borough or parish shall depend on such majority of votes: provided always, that this Act shall not be adopted within such borough or parish unless at least two thirds of the aggregate number of votes so given as aforesaid be in favour thereof.

Two thirds majority required.

6. If any person fabricates, in whole or in part, or alters, defaces, destroys, abstracts, or purloins any voting paper, or personates any person entitled to vote in pursuance of this Act, or falsely assumes to act in the name or on behalf of any person so entitled to vote, or interrupts the distribution of any voting papers, or distributes the same under false pretences of being lawfully authorized so to do, he shall for every such offence be liable, on conviction before two justices, to be imprisoned in the common gaol or house of correction for any period not exceeding *three months*, with or without hard labour.

Penalties for fabricating voting papers.

7. The mayor of such borough or the overseers of such parish shall, if this Act be adopted as aforesaid, immediately give notice thereof by affixing the same on or near to the town hall in such borough, and to the outer and principal doors of every church and chapel in such borough or parish, and shall immediately give notice thereof to Her Majesty's Principal Secretary of State for the Home Department, and to the Chairman of the Board of Inland Revenue, and deliver to the clerk to the justices acting in and for such borough, or for the district or division in which such borough or parish is situated, a certificate in writing of the adoption of the Act, to be by the said clerk recorded and preserved, which certificate, or a copy thereof, certified by the said clerk of the justices, shall be conclusive evidence in any proceedings under or by virtue of this Act that this Act was duly adopted within the said borough or parish.

Notice of the adoption of Act, and its immediate operation.

8. If the ratepayers of any such borough or parish shall determine in manner aforesaid against the adoption of this Act, it shall not be lawful, within *one year* after such determination, again to take the votes of the ratepayers of such borough or parish as to the propriety of bringing into operation therein the provisions of the said Act.

After vote against the adoption of the Act, one year to intervene before another vote be taken.

9. If the ratepayers of such borough or parish shall determine in manner aforesaid in favour of the adoption of this Act, it shall be lawful, after the expiration of *three years* from the commencement of this Act coming into operation, for any ratepayers of such borough or parish again to call upon the mayor of the borough or the overseers of the poor of the parish again to take the votes of the ratepayers of the borough or parish, in like manner as herein-before provided for the adoption of this Act, and

Ratepayers to have power to reconsider the adoption of this Act.

A.D. 1870.

the continuance or otherwise of the operation of this Act within such borough or parish shall be determined by a majority of the votes so given.

Prohibition of common sale.

10. From and after the time limited for the commencement of this Act in any borough or parish, as herein-before provided, no licence whatever shall be granted or renewed for the sale of alcoholic liquor within such borough or parish; and any person selling or disposing of any alcoholic liquor within such borough or parish shall be dealt with as selling without licence, and shall be subject to all the penalties provided for such offence under any Act or Acts of Parliament regulating the sale of alcoholic liquors which may be in force at the time of the adoption of this Act; provided nevertheless, that nothing herein contained shall affect any rights or privilege conferred or enjoyed by virtue of any licence current or in force at the commencement of this Act during its said currency, and that nothing herein contained shall be held to affect any sales made under the provisions of any statute permitting the sale of methylated spirits for use in the arts and manufactures of the United Kingdom.

Interpretation clause.

11. In the construction of this Act the following words and expressions shall have the following meanings assigned to them respectively: "municipal borough" shall mean city, borough, burgh, or any corporate town; "parish" shall mean any parish, township, village, tithing, extra-parochial place, or place maintaining its own poor; "mayor" shall mean also provost, high constable, high bailiff, baron bailie, or other chief officer of any city or borough; "overseers of the poor" shall mean any persons authorized and required to make and collect the rates for the relief of the poor, and acting as overseers of the poor; "alcoholic liquor" shall include all spirituous liquors, wine, ale, beer, cyder, perry, and every description of intoxicating liquors.

SCHEDULE.

Form (A.)

Voting Paper.

An Act to enable owners and occupiers of property in certain districts to prevent the common sale of intoxicating liquors within these districts.

A requisition signed by ratepayers of this having been presented to me, requesting me to take the votes of those duly qualified according to the terms of the Act, you are hereby required to signify your vote for or against the adoption of this Act, thus :—

	In favour of.	Against.
Do you vote in favour of or against the adoption of this Act in this ?		

John Smith,
of 26, *High Street.*

N.B.—The ratepayer will write "yes" or "no" under the heading "in favour" or "against," according as he votes for or against the adoption of the Act. He is also required to subscribe his name and address at full length. If a voter cannot write, he must make his mark instead of initials, but such mark must be attested by a witness, and such witness must write the initials of the voter against his mark. This paper will be collected on the of between the hours of and .

Take notice.—If any person wilfully commits any of the acts following, that is to say, fabricates, in whole or in part, alters, defaces, destroys, abstracts, or purloins, any voting paper, or personates any person entitled to vote in pursuance of this Act, or falsely assumes to act in the name or on the behalf of any person so entitled to vote, or interrupts the distribution of any voting papers, or distributes the same under a false pretence of being lawfully authorized so to do, he shall for every such offence be liable, on conviction before two justices, to be imprisoned in the common gaol or house of correction for any period not exceeding *three months*, with or without hard labour.

(*Signed by the mayor or overseer.*)

112 -1-

Permissive Prohibitory Liquor.

A

BILL

To enable owners and occupiers of property in certain districts to prevent the common sale of intoxicating liquors within such districts.

(*Prepared and brought in by Sir Wilfrid Lawson, Sir Thomas Bazley, Lord Claud Hamilton, Sir John Hanmer, Mr. Miller, Mr. Dalway, and Mr. Macarthy Downing.*)

Ordered, by The House of Commons, *to be Printed*, 28 *April* 1870.

[Bill 112.]

Under 1 *oz.*

A

B I L L

TO

Extend to the whole of Sunday the present restrictions on the sale of Beer and other fermented or distilled Liquors. A.D. 1870.

WHEREAS the provisions in force against the sale of fermented and distilled liquors during certain hours of the Sunday have been found to be attended with great public benefits, and it is important to extend such provisions to the other hours of Sunday:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

No person licensed to sell liquors to be drunk on the premises, or not, to keep open his house for sale of liquors on Sundays, &c.

1. It shall not be lawful for any licensed victualler or person licensed to sell beer by retail to be drunk on the premises, or not to be drunk on the premises, or any person licensed or authorised to sell fermented or distilled liquors, or any person who, by reason of the freedom of the mystery or craft of Vintners of the city of London, or of any right or privilege, shall claim to be entitled to sell wine by retail to be drunk on the premises, in any part of England or Wales, to open or keep open his house for the sale of or to sell, beer, wine, spirits, or any other fermented or distilled liquors on Sunday, or on Christmas Day or Good Friday, except to a traveller or to a lodger therein, nor to allow any person to remain on the premises for the purpose of drinking beer, wine, spirits, or any other fermented or distilled liquor on Sunday, or on Christmas Day or Good Friday, except a traveller or a lodger therein.

Houses of public resort prohibited from being opened for the sale of liquors on Sunday.

2. No person shall open any house or place of public resort for the sale of fermented or distilled liquors, or sell therein such liquors, in any part of England or Wales, on Sunday, or on Christmas Day or Good Friday, except to travellers, nor allow any person to remain on the premises for the purpose of drinking beer, wine,

A.D. 1870.

spirits, or any other fermented or distilled liquor on Sunday, or on Christmas Day or Good Friday, except a traveller.

Power to constable to enter houses.

3. It shall be lawful for any constable at any time to enter into any house or place of public resort in England or Wales for the sale of beer, wine, spirits, or other fermented or distilled liquor or liquors, and every person who shall refuse to admit or shall not admit such constable into such house or place shall be esteemed guilty of an offence against this Act.

Penalty for offences against this Act.

4. Every person who shall offend against this Act shall be liable, upon a summary conviction for the same before any justice of the peace for the county, riding, division, liberty, city, borough, or place where the offence shall be committed, to a penalty not exceeding *five pounds* for every such offence, and every separate sale shall be deemed a separate offence.

Sunday.

A

B I L L

To extend to the whole of Sunday the present restrictions on the sale of Beer and other fermented or distilled Liquors.

(*Prepared and brought in by Mr. Rylands, Mr. Candlish, Mr. Birley, and Mr. Osborne Morgan.*)

Ordered, by The House of Commons, *to be Printed,* 1 *March* 1870.

[Bill 57.]

Under 1 *oz.*

A

B I L L

To regulate the Sale of Poisons in Ireland, and to alter and amend an Act passed by the Parliament of Ireland in the Thirty-third Year of the reign of His Majesty King George the Third, Chapter Thirty-four, intituled, "An Act for more effectually Preserving the Health of His Majesty's Subjects, for creating an Apothecaries Hall in the City of Dublin, and regulating the Profession of an Apothecary throughout the Kingdom of Ireland."

(*Not Printed.*)

[Bill 122.

Vol IV

A

B I L L

TO

Regulate the Sale of Poisons in Ireland. A.D. 1870.

WHEREAS it is expedient for the safety of the public that due provision should be made to regulate the sale of poisons in Ireland:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Articles named in Schedule A. to be deemed poisons within meaning of this Act.

1. The several articles mentioned in the Schedule A. to this Act annexed shall be deemed to be poisons within the meaning of this Act; and the Governor and Council of the Apothecaries Hall of the city of Dublin may from time to time, by resolution, declare that any article other than those mentioned in the said schedule and in such resolution named ought to be deemed a poison within the meaning of this Act; and thereupon the said Council shall submit the said resolution for the approval of Her Majesty's Privy Council in Ireland, and if such approval shall be given, then such resolution and approval shall be advertised in the "Dublin Gazette;" and on the expiration of one month from such advertisement the article named in such resolution shall be deemed to be a poison within the meaning of this Act.

Regulations to be observed in the sale of poisons.

2. It shall be unlawful to sell any poison, either by wholesale or by retail, unless the box, bottle, vessel, wrapper, or cover in which such poison is contained be distinctly labelled with the name of the article, and the word "poison," and with the name and address of the seller of the poison; and it shall be unlawful to sell any of the poisons which are named in the first part of Schedule A. to this Act annexed, or which may hereafter be added thereto under section one of this Act, to any person unknown to the seller, unless such person is introduced by some person known to the seller; and on every sale of any such article the seller shall, before delivery, make or cause to be made an entry in a book to be kept for that purpose, stating, in the form

A.D. 1870.

set forth in the Schedule B. to this Act annexed, the date of the sale, the name and address of the purchaser, the name and quantity of the article sold, and the purpose for which it is stated by the purchaser to be required, to which entry the signature of the purchaser and of the person (if any) who introduced him shall be affixed; and any person selling poison otherwise than is herein provided shall be liable to a penalty not exceeding *five pounds* for the first offence, and to a penalty not exceeding *ten pounds* for the second or any subsequent offence; and for the purposes of this section the person on whose behalf any sale is made by any apprentice or servant shall be deemed to be the seller; but the provisions of this section which are solely applicable to poisons in the first part of the Schedule A. to this Act annexed, or which require that the name and address of the seller, shall not apply to articles to be exported from Ireland by wholesale dealers, nor to sales by wholesale to retail dealers in the ordinary course of wholesale dealing, nor shall any of the provisions of this section apply to any medicine supplied by a duly qualified apothecary, nor apply to any article when forming part of the ingredients of any medicine dispensed by a duly qualified apothecary, provided such medicine be labelled in the manner aforesaid with the name and address of the seller, and the ingredients thereof be entered with the name of the person to whom it is sold or delivered in a book to be kept by the seller for that purpose; and nothing in this Act contained shall repeal or affect any of the provisions of the Act of the fourteenth and fifteenth years of the reign of Her present Majesty, intituled "An Act to regulate the sale of Arsenic."

Adulteration of Food or Drink Act to extend to medicines.

3. The provisions of the Act of the twenty-third and twenty-fourth years of the reign of Her present Majesty, intituled "An Act for preventing the Adulteration of Articles of Food or Drink," shall extend to all articles usually taken or sold as medicines, and every adulteration of any such article shall be deemed an admixture injurious to health.

Recovery and application of penalties.

4. Every penalty recoverable under the provisions of this Act shall be recoverable in a summary way, with respect to the police district of Dublin metropolis subject and according to the provisions of any Act regulating the powers and duties of justices of the peace for such district or of the police of such district, and with respect to other parts of Ireland before a justice or justices of the peace sitting in petty sessions, subject and according to the provisions of the Petty Sessions (Ireland) Act, 1851, and any Act amending the same, and shall be applied according to the provisions of the Fines Act (Ireland), 1851, or any Act amending the same.

SCHEDULE A.

A.D. 1870.

Part I.

Arsenic, and its preparations.
Prussic acid, and its preparations.
Cyanides of potassium and all metallic cyanides, and preparations of any of the said cyanides.
Strychnine, and its preparations, and all poisonous vegetable alkaloids and their salts.
Aconite, and its preparations.
Emetic tartar.
Corrosive sublimate.
Cantharides.
Savin, and its oil.
Ergot of rye, and its preparations.
Preparations of atropine.

Part II.

Oxalic acid.
Chloroform.
Belladonna, and its preparations.
Essential oil of almonds, unless deprived of its prussic acid.
Opium, and all preparations of opium or of poppies.
Preparations of corrosive sublimate.
Preparations of morphine.
Red oxide of mercury (commonly known as red precipitate of mercury).
Ammoniated mercury (commonly known as white precipitate of mercury).
Every compound containing any of the poisons mentioned in this schedule, when prepared or sold for the destruction of vermin.
The tincture and all vesicating liquid preparations of cantharides.

SCHEDULE B.

Date.	Name of Purchaser.	Name and Quantity of Poison sold.	Purpose for which it is required.	Signature of Purchaser.	Signature of Person introducing Purchaser.

Sale of Poisons (Ireland).

A

B I L L

To regulate the Sale of Poisons in Ireland.

(*Prepared and brought in by Mr. Solicitor-General for Ireland and Mr. Chichester Fortescue.*)

Ordered, by The House of Commons, *to be Printed,* 23 *May* 1870.

[Bill 140.]

Under 1 *oz.*

A

B I L L

TO

Amend the Acts relating to the Export of unseasonable Salmon.

A.D. 1870.

WHEREAS by the third section of "The Salmon Acts Amendment Act, 1863," it is amongst other things provided that "the burden of proving that any salmon entered for exportation "from any part of the United Kingdom to parts beyond the seas "between the third day of September and the second day of "February following is not so entered in contravention of the said "Act shall lie on the person entering the same for exportation:"

And whereas it is expedient to make further provision for preventing the exportation of salmon that cannot legally be sold within the limits of the United Kingdom:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited for all purposes as "The Salmon Acts Amendment Act, 1870."

Commencement of Act.

2. This Act shall not come into operation before the *third day of September one thousand eight hundred and seventy*, which day is herein-after referred to as "the commencement of this Act."

Amendment of sect. 3. of 26 Vict. c. 10.

3. From and after the commencement of this Act the said third section of "The Salmon Acts Amendment Act, 1863," shall be read and construed as if the words "second day of February" were omitted therefrom and the words "thirtieth day of April" were inserted instead of the said omitted words.

Amendment of sect. 65. of 28 & 29 Vict. c. 121.

4. The sixty-fifth section of "The Salmon Fishery Act, 1865," shall be read and construed as if the words "second day of February" were omitted therefrom and the words "thirtieth day of April" were inserted instead of the said omitted words.

[Bill 163.]

Salmon Acts Amendment.

A

BILL

To amend the Acts relating to the Export of unseasonable Salmon.

(Prepared and brought in by Mr. Malcolm, Mr. Hambro, and Mr. Cameron.)

Ordered, by The House of Commons, *to be Printed,* 13 *June* 1870.

[Bill 163.]

Under 1 *oz.*

A

B I L L

TO

Amend the twenty-sixth section of "The Sanitary Act, 1866," relating to the removal of persons sick of infectious disorders and without proper lodging. A.D. 1870.

WHEREAS it is expedient further to amend the Sanitary Act, 1866, in order to facilitate the removal of persons suffering from any dangerous, contagious, or infectious disorder who are without proper lodging or accommodation, or are lodged in a room occupied by more than one family, or are on board ship:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited for all purposes as The Sanitary Act, 1870.

Every hospital in the metropolis shall be held to be within the district of every nuisance authority for the purposes of section twenty-six of the Sanitary Act, 1866.

2. For the purposes of the twenty-sixth section of the Sanitary Act, 1866, every hospital or place for the reception of the sick situate within the limits of the metropolis, as defined by the Metropolis Management Act, 1855, shall be deemed to be within the district of every one of the nuisance authorities in the metropolis.

Sanitary Act (1866) Amendment.

A

B I L L

To amend the twenty-sixth section of "The Sanitary Act, 1866," relating to the removal of persons sick of infectious disorders and without proper lodging.

(*Prepared and brought in by Mr. Brewer and Mr. William Henry Smith.*)

Ordered, by The House of Commons, *to be Printed*, 30 *June* 1870.

[Bill 189.]

Under 1 *oz.*

A

B I L L

TO

Amend the Sanitary Act, 1866, so far as relates to the City of Dublin. A.D. 1870.

WHEREAS under the provisions of the Sanitary Act, 1866, the right honourable the lord mayor, aldermen, and burgesses of the city of Dublin, acting by the town council of the said city, are the sewer authority within the said city for the purposes of the said Act and of the Sewage Utilization Act, 1865, and are also the nuisance authority for executing the Nuisance Removal Acts, as the same are made applicable to Ireland by the said Sanitary Act, 1865:

And whereas for the purpose of carrying the said Acts into effect it is necessary that the River Liffey should be made pure and the main drainage of the said city should be perfected, and that the works necessary for the purposes aforesaid should be executed, and that to defray the expenses which will be incurred in the execution of the said works the Public Works Loan Commissioners, as defined by the Public Works Loan Act, 1853, should advance to the said town council moneys to the amount, upon the security and in the manner by this Act authorised:

And whereas for the purposes aforesaid it is necessary to amend the Sanitary Act, 1866:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows; (that is to say,)

Public Works Loan Commissioners may advance to town council a sum not exceeding 350,000*l.* for purification of Liffey, &c.

1. The Public Works Loan Commissioners, as defined by the Public Works Loan Act, 1853, may, if they think fit, advance to the said town council of the city of Dublin, upon the security of the rate or fund out of which expenses incurred by the said town council as the sewer and nuisance authority within the said city under the Sanitary Act, 1866, may be defrayed, any sum or sums of money not exceeding in the whole *three hundred and fifty thousand pounds*, to

A.D. 1870.

be applied by the said town council in the execution of the works necessary for the purpose of purifying the said River Liffey and completing the main drainage of the said city of Dublin.

Application of moneys raised under this Act.

2. The said town council of the city of Dublin shall apply all moneys raised under the authority of this Act in payment of the expenses incurred in the execution of the said works necessary for the purification of the River Liffey and the completion of the said main drainage of the said city of Dublin and incident thereto, and to or for no other purpose whatsoever.

Repayment of advances.

3. Notwithstanding anything in the Public Works Loan Act, 1853, contained to the contrary, all moneys advanced under the authority of this Act shall be repaid in manner following; (that is to say,)

So long as any principal money or interest shall remain unpaid the said town council of the city of Dublin shall, in every year, from the date of each advance, pay to the said Public Works Loan Commissioners such annual sum as shall be equivalent to the sum of *five per cent.* per annum upon amount of such advance, and such annual sum shall be applied first in payment of interest on the amount remaining unpaid in respect of such advance at the rate of per cent. per annum, and next in or towards discharge of the principal of such advance:

Every such annual sum shall be paid in two equal half-yearly instalments, the first of such instalments to be paid *six months* after the date of the advance in respect of which the same shall be payable.

Payment of expenses incurred in the execution of Act.

4. The expenses incurred by the said town council of the city of Dublin in carrying this Act into effect, and in repaying all moneys advanced under the authority of the same, shall be deemed to be expenses incurred by the said town council in carrying into effect the said Sanitary Act, 1866, and the Nuisance Removal Acts, and shall be paid out of the same rate or fund and in like manner in every respect.

Arrears may be enforced by appointment of a receiver.

5. In case the said town council shall not pay any such half-yearly payment as aforesaid within thirty days after the same shall be due, the said Public Works Loan Commissioners may, in addition to any other remedies, enforce payment of the same by the appointment of a receiver, and it shall be lawful for such receiver to apply to the Court of Queen's Bench in Ireland for a writ of mandamus to compel the said town council to make and cause to be levied such rate or rates as they are authorised to make for the purposes

of the Sanitary Act, 1866, and the Nuisances Removal Acts, of such amount as shall be sufficient to make good any deficiency in the funds applicable to the payment of such interest, and so from time to time; and the said court is hereby authorised, on cause duly shown, to order and direct such writ of mandamus to issue, and if and when the same shall be made peremptory, the town council shall, and they are hereby authorised and required to make, or cause to be levied, such rate or rates of such amount, or as near thereto as may be, as shall be sufficient to pay the amount due, and the costs and expenses attending the recovery of the same.

Sanitary Act (Dublin) Amendment.

A

B I L L

To amend the Sanitary Act, 1866, so far as relates to the City of Dublin.

(Prepared and brought in by Mr. Stansfeld and Mr. Solicitor General for Ireland.)

Ordered, by The House of Commons, *to be Printed*, 29 *July* 1870.

[Bill 254.]

Under 1 *oz.*

A

B I L L

TO

Amend the Law relating to Savings Banks. A.D. 1870.

WHEREAS it is expedient to reduce the rate of interest payable by the Commissioners for the Reduction of the National Debt to trustees of savings banks upon the sums remitted by the trustees to the said Commissioners, and otherwise to amend the law relating to savings banks:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Construction of Act and short title.

1. This Act shall be construed as one with the Act of the session of the twenty-sixth and twenty-seventh years of the reign of Her present Majesty, chapter eighty-seven, intituled "An Act to consolidate and amend the Laws relating to Savings Banks," in this Act referred to as the principal Act; and the principal Act and this Act may be cited together as the Savings Banks Acts, 1863 and 1870, and each of them may be cited separately as the Savings Banks Act of the year in which it was passed.

Reduction of rate of interest.

2. After the *twentieth day of November one thousand eight hundred and seventy* all receipts issued either before or after that day to the trustees of savings banks by the Commissioners for the Reduction of the National Debt in respect of money paid into the Banks of England or Ireland by such trustees shall carry interest at the rate of *three pounds* per centum per annum, and the principal Act shall be construed as if *three pounds* were throughout section twenty-one of that Act substituted for three pounds five shillings.

Registry of rules of savings banks.

3. Every savings bank which is formed after the passing of this Act, and desires the benefits of the principal Act, shall register every rule and every alteration of a rule made for the management of such bank, and such registry shall have the same effect as if the rule or alteration so registered had been entered, deposited, and filed in manner directed by the principal Act.

A.D. 1870.

Regulations for registry.

4. With respect to the registry of every such rule and alteration of a rule, the following provisions shall have effect:

(1.) Copies of the rule to be registered shall be sent to the registrar herein-after mentioned, and to the Commissioners for the Reduction of the National Debt:

(2.) The registrar upon being satisfied that under the rules of the savings bank the persons forming such savings bank are prevented (except so far as they are themselves depositors) from deriving any benefit whatever from the deposits received thereat or the produce thereof, and that the savings bank have complied with the regulations respecting registry made under this Act, shall register the rule:

(3.) Every rule when registered shall be binding on the trustees, managers, and officers of and persons forming the savings bank, and the depositors therein and their representatives, and any copy of such rule certified by the registrar to be a true copy thereof shall be received as evidence of such rule:

(4.) The Board of Trade shall be the registrar, but they may appoint any of their secretaries, assistant secretaries, or officers, or any registrar or deputy registrar of joint stock companies, to perform, subject to their directions, all or any of the duties of the office of registrar:

(5.) The Board of Trade may from time to time make regulations respecting registry under this Act, and respecting the seal (if any) to be used for the purpose of such registry, and the inspection of documents kept by the registrar under this Act, and respecting the fees, if any, to be paid on registry or inspection or otherwise, and generally for carrying this Act into effect:

(6.) The provisions of this section shall apply to any alteration of a rule in the same manner as to any rule.

Settlement of disputes by local judge.

5. Any such dispute as is mentioned in section forty-eight of the principal Act in a matter relating to a savings bank shall be referred in writing to the judge herein-after mentioned, and the provisions of the principal Act relating to the settlement of such disputes shall be construed as if such judge were therein mentioned instead of the barrister-at-law.

The judge in this section means—

in England the judge of the county court of the district in which the office of the savings bank is situate:

in Scotland the sheriff or sheriff substitute of the county in which such office is situate: and

in Ireland the chairman of the quarter sessions within the jurisdiction of which the said office is situate.

Substitution of registrar for barrister.

6. Save as provided with respect to disputes the principal Act shall be construed as if the registrar under this Act were throughout therein mentioned in the place of the barrister.

Repeal.

7. The following portions of the principal Act, that is to say,—

Section four, and

So much of section twenty-three as limits the rate of interest payable to depositors, and

So much of section sixty-six as authorizes the appointment of a barrister-at-law,

are hereby repealed.

Provided that every savings bank, the rules of which have been entered, deposited, and filed before the passing of this Act, shall be deemed to have been registered as provided by this Act.

Savings Banks.

A

BILL

To amend the Law relating to Savings Banks.

(Prepared and brought in by Mr. Chancellor of the Exchequer and Mr. Stansfeld.)

Ordered, by The House of Commons, *to be Printed,* 19 *February* 1870.

[Bill 15.]

Under 1 *oz.*

A

B I L L

INTITULED

An Act to abolish Sequestrations for debt. A.D. 1870.

WHEREAS beneficed clerks are by law restrained from charging their benefices so as to render them liable to the payment of any pension or profit thereout:

And whereas a sequestration for debt of a benefice is unjust to the parishioners as it tends to prevent the due discharge of his duties by the incumbent, and it is desirable that such sequestrations should be abolished:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Title of Act.

1. This Act may be cited as "The Sequestration for Debt Abolition Act, 1870," and shall come into operation on the day of .

Construction of Act.

2. In the construction of and for the purposes of this Act, the following words and expressions shall have the meanings hereby assigned to them respectively:

"Benefice" shall mean a benefice or district with cure of souls:

"Bishop" shall include archbishop in all cases in which the benefice of the bankrupt shall be situate within the diocese of an archbishop.

Sequestrations not to issue upon writs on judgments after 1 Nov. 1870.

3. No sequestration of the profits of any benefice shall issue upon or in pursuance of any writ on a judgment against any beneficed clerk entered up after the first day of November one thousand eight hundred and seventy.

Trustee of the benefice to apply a sum annually for spiritual charge.

4. When a beneficed clergyman shall have been adjudicated a bankrupt, the trustee in bankruptcy shall in the first place apply out of the profits of such benefice such an annual sum as the said bishop shall think requisite for the spiritual charge of the parish, whether the duty is performed by the incumbent or by any curate or curates to be appointed by the bishop; and it shall be lawful for

A.D. 1870.

the bishop to nominate such curate or curates as he shall deem necessary, and to assign to him or them such stipend as he shall think fit.

Not to affect sequestrations under Gilbert's Acts, &c.

5. Nothing herein contained shall apply to or affect the power to sequester a benefice under the Acts of Parliament commonly known as the Gilbert's Acts, or under the first and second Victoria, chapter one hundred and six, or the priority given to sequestration under those Acts respectively.

A

BILL

INTITULED

An Act to abolish Sequestrations for debt.

(*Brought from the Lords 5 July* 1870.)

Ordered, by The House of Commons, *to be Printed*, 6 *July* 1870.

[Bill 202.]

Under 1 *oz.*

A

B I L L

TO

Enable the owners of Settled Estates in England and Ireland to charge such estates, within certain limits, with the expense of building mansions as residences for themselves. A.D. 1870.

WHEREAS by an Act of the tenth year of the reign of His late Majesty King George the Third, chapter fifty-one, heirs of entail in Scotland are enabled to charge their estates with sums of money laid out by them in building mansions as residences for themselves: And whereas such enactment having been found beneficial in that part of the United Kingdom, it is expedient to enable limited owners in other parts of the United Kingdom to build mansions on their estates as residences for themselves:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. This Act may be cited for all purposes as the "Limited Owners Residences Act, 1870." Short title.

2. This Act shall be construed as one with the Act of the session of the twenty-seventh and twenty-eighth years of the reign of Her present Majesty, intituled "Improvement of Land Act, 1864," and the words used in this Act shall be construed in like manner as in the said Act; and the provisions of the said Act shall be applicable, as far as the nature of the case requires, except as is herein otherwise provided, to proceedings under this Act. Act to be construed with 27 & 28 Vict. c. 114. "Improvement of Land Act, 1864."

3. The erection of mansion houses and offices, and completion of mansion houses and offices, and improvement of and addition to mansion houses and offices already erected, so as such improvement and addition be of a permanent nature, provided the mansion houses so erected or enlarged are suitable to the estates on which they stand as residences for the owners of such estates, shall be improvements within the meaning of the "Improvement of Land Act, 1864." What to be deemed improvements within meaning of "Improvement of Land Act, 1864."

[Bill 110.]

Limit as to sum to be charged for mansion houses on settled estates.

4. The sum charged on any estate under settlement in respect of mansion houses and offices by any one landowner shall not exceed *three years* rental of the said estate, after deducting all public charges and interest of debts affecting the inheritance.

Evidence as to amount of rental.

5. The commissioners shall not be obliged to require any further or other evidence of the nature and amount of such charges and of the rental of the estate than the statutory declaration of the landowner to enable them to determine the amount of the sum that may be charged on the estate for such improvement.

Mode of calculating increased value resulting from outlay.

6. In calculating whether the improvement would effect a permanent increase of the yearly value of the lands exceeding the yearly amount proposed to be charged thereon, the commissioners shall take into account the effect on such value of any sum expended by the landowner in erecting or adding to such mansion house and offices beyond the sum proposed to be charged.

In such calculation, other lands settled to same uses may be taken into account.

7. In making such calculation as aforesaid, and in considering the suitableness of such mansion house and offices so erected or enlarged as aforesaid to the estates on which they stand, the commissioners may take into consideration any other lands settled to the same uses as the estates on which such mansion house and offices stand.

Discretionary power of certifying where erection of mansion house suitable, but not an increase in yearly value proportionable to outlay.

8. If the commissioners shall find that the erection, improvement, or addition to any such mansion house and offices are suitable to the estate, but would not in their estimation effect an increase of the yearly value of the lands exceeding the yearly amount proposed to be charged, it shall be in their discretion to certify such improvement, but the charge made in respect thereof shall not in that case take priority of any mortgage or other charge then affecting such estate.

Insurance against fire.

9. The provision in the Lands Improvement Act respecting assurance of buildings against fire shall apply to mansion houses and offices improved or added to, as well as to those erected under this Act.

Extent of Act.

10. This Act shall not apply to Scotland.

Settled Estates.

A

B I L L

To enable the owners of Settled Estates in England and Ireland to charge such estates, within certain limits, with the expense of building mansions as residences for themselves.

(*Prepared and brought in by Mr. Stapleton, Colonel Stepney, and Mr. Stacpoole.*)

Ordered, by The House of Commons, *to be Printed,* 27 *April* 1870.

[Bill 110.]

Under 1 *oz.*

A

B I L L

TO

Confirm a Provisional Order under "The Sewage Utilization Acts," relating to the district of East Barnet. A.D. 1870.

WHEREAS the Secretary of State for the Home Department, being one of Her Majesty's Principal Secretaries of State, has, under the provisions of the Sewage Utilization Act, 1865, and the Local Government Act, 1858, duly made a Provisional Order, which is contained in the schedule to this Act annexed; and it is provided by the aforesaid Local Government Act that no such Order shall be of any validity whatever until it shall have been confirmed by Parliament; and it is expedient that the said Order should be confirmed:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. The Provisional Order contained in the schedule hereunto annexed shall, from and after the passing of this Act, be absolute, and be as binding and of like force and effect as if the provisions of the same had been expressly enacted in this Act. Provisional Order in schedule confirmed.

2. In citing this Act in any other Act of Parliament, or in any proceeding, instrument, or document whatever, it shall be sufficient to use the words and figures "The Sewage Utilization Supplemental Act, 1870." Short title.

[Bill 201.]

Supplemental.

A

BILL

To confirm a Provisional Order under "The Sewage Utilization Acts," relating to the district of East Barnet.

(*Prepared and brought in by Mr. Knatchbull-Hugessen and Mr. Secretary Bruce.*)

Ordered, by The House of Commons, *to be Printed* 6 *July* 1870.

[Bill 201.]

Under 1 *oz.*

A

B I L L

TO

Amend and enlarge the powers of the Acts relating to the Navigation of the River Shannon; and for other purposes relating thereto. A.D. 1870.

WHEREAS an Act was passed in the session of Parliament held in the fifth and sixth years of the reign of His late Majesty King William the Fourth, chapter sixty-seven, intituled "An Act "for the improvement of the navigation of the River Shannon," (in this Act called the Act of 1835) and by that Act Commissioners were appointed to carry the same into effect: 5 & 6 W. 4. c. 67.

And whereas a further Act was passed in the session of Parliament held in the second and third years of the reign of Her present Majesty, chapter sixty-one, intituled "An Act for the improve- "ment of the navigation of the River Shannon," (in this Act called the Act of 1839) whereby certain works were authorised to be constructed, subject to such alterations, additions, or reductions as might from time to time be found necessary: 2 & 3 Vict. c. 61.

And whereas by an Act passed in the session of Parliament held in the ninth and tenth years of the reign of Her present Majesty, chapter 86, intituled "An Act to extend and consolidate the powers "hitherto exercised by the Commissioners of Public Works in "Ireland, and to appoint additional commissioners," (in this Act called the Act of 1846,) it is amongst other things enacted, that from and after the thirtieth September, one thousand eight hundred and forty-six, the Commissioners of Public Works in Ireland for the time being should be the commissioners for the execution of the Acts of 1835 and 1839; and all the powers, authorities, and privileges, rights, titles, and interests, then or theretofore vested in the commissioners for the execution of the Acts of 1835 and 1839 should vest in and devolve upon, and should be respectively used, exercised, and enjoyed by the Commissioners of Public Works in Ireland for the time being, who should, for the purposes of the said 9 & 10 Vict. c. 86.

A.D. 1870.

Acts, be and be deemed to be in the place and stead of the persons theretofore being commissioners for the execution of the said Acts:

And whereas the preservation of the navigation of the River Shannon is of national importance, and it would be attended with great local advantage if works were executed in connexion with the said river and the several tributaries thereof to carry away the flood waters of such river and tributaries, and to prevent the inundation of the several lands adjacent and near thereto:

And whereas the proprietors of the lands adjacent or near to the said river and tributaries have applied to the Commissioners of Her Majesty's Treasury to aid them in the execution of the said works, and the said Commissioners, subject to the approval of Parliament, have agreed to afford them aid to the extent and subject to the provisions herein-after contained: And whereas the estimated cost of the works to be executed under the powers of this Act and for carrying the same into effect is one hundred and ninety-one thousand pounds:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may for all purposes be cited as "The Shannon Act, "1870," and the Shannon Acts of 1835, 1839, and 1846 may respectively be cited separately as the Shannon Act of 1835, 1839, and 1846, and all the Acts mentioned in this section may be cited under the short title of the Shannon Acts 1835 to 1870.

Definition of terms.

2. The words "the Treasury" when used in this Act shall mean the Lords Commissioners of Her Majesty's Treasury, or any two or more of them.

The words "the Commissioners" shall mean the Commissioners of Public Works in Ireland for the time being.

The word "lands" shall extend to and include mills and water power, and any easement into or out of land, and all hereditaments corporeal or incorporeal, and every estate or interest therein, or incumbrance thereon.

The word "person" in this Act shall comprehend all corporations sole or aggregate, or any number of persons united in partnership.

Commissioners of Public Works to be Commissioners for this Act.

3. The Commissioners shall carry into effect the objects and powers of this Act.

Funds provided.

4. *For the purpose of the works by this Act authorised the Treasury may from time to time, by warrant, cause to be issued out of the Consolidated Fund of the United Kingdom, or the growing*

produce thereof, any sum or sums of money not exceeding in the whole the sum of two hundred thousand pounds, such money to be at the disposal of the Commissioners for the purposes of this Act. A.D. 1870.

Application of moneys.

5. *Out of the sum so to be placed at the disposal of the Commissioners the sum of one hundred thousand pounds shall be advanced and considered as a free grant, and the sum of one hundred thousand pounds, or such smaller sum as may be required to complete the said works, shall be charged upon the lands to be relieved from inundation or otherwise improved, in proportion to the benefit conferred on such lands respectively, and in manner herein-after mentioned.*

Plans of proposed works to be submitted to Treasury, and valuation to be made of lands to be charged.

6. Previously to undertaking any works under this Act the Commissioners shall from time to time submit for approval of the Treasury plans, specifications, and estimates of the works proposed to be executed under this Act; and so soon as conveniently may be after such plans, specifications, and estimates have been so approved, the Commissioners shall cause to be deposited at the Shannon Navigation Office, Athlone, or elsewhere, as they may consider convenient, copies of the plans, specifications, and estimates so approved, and also a survey and valuation of the lands contemplated to be relieved from inundation and improved under this Act, describing in general terms and by reference to maps or schedules, or otherwise as the Commissioners may think fit and proper, the lands contemplated to be relieved from inundation and improved under this Act, and specifying the proprietors of such lands respectively, *and the respective amounts to be charged on the lands respectively of each proprietor under this Act.*

The plans and specifications required by this section are herein-after included under the term "plans," and the survey and valuation, including the specification of the amounts to be charged upon the lands, are herein-after included in the term "valuation."

Valuation to be deposited for public inspection.

7. The Commissioners shall, immediately after the making such valuation, cause the same to be printed, and a copy to be deposited in their office, and another copy thereof to be deposited with the clerk of the peace for every county wherein the lands to be charged, or any part thereof, are situate, and such clerk of the peace is hereby authorised and required to receive the same, and all persons shall have liberty to inspect the same on payment of *sixpence;* and when such copy has been so deposited the Commissioners shall cause notice thereof to be inserted in some one or more newspapers circulating in the district in the vicinity whereof the lands are situate; and the Commissioners shall by the same or a separate notice require all persons who may desire to object to the

A.D. 1870.

said valuation in respect of the description of the lands charged or of the sums charged thereon to lodge such objections at such place and before such time as is specified in such notice; and the Commissioners shall also, in the said notice, state that they will proceed to hear any such objection which may be made, and finally settle the valuation at such time and place as may be specified in such notice.

Commissioners to attend and hear objections.

8. The Commissioners, or one of them, shall attend at the appointed time and place, and examine into the matter of any such objection, and hear all such proper evidence as may be offered to them or him in respect thereof, and make such alterations (if any) in such valuation as they or he think fit, and may adjourn such attendance from time to time and to such place as they shall think fit, and shall settle and sign such valuation.

Commissioners to give notice.

9. The Commissioners, when they have settled such valuation, shall cause notice of such settlement to be given in the "Dublin Gazette," and in some one or more newspapers circulating in the counties of Westmeath, Roscommon, King's County, County Tipperary, Galway, Clare, and Limerick, and by such notice the proprietors of the lands contemplated to be relieved from inundation and improved under this Act shall be called upon to transmit to the Commissioners in Dublin, in such form and subject to such regulations as the Commissioners may direct, their assent or dissent to the execution of the works under this Act.

Works not to be commenced until assent of proprietors had.

10. No works shall be commenced under this Act unless the reputed proprietors of two thirds or more in extent of the land proposed to be improved assent to the execution of the works by this Act authorised, and signify such assent in writing under their hands respectively, within two years from the date of the publication of such notice as aforesaid by the Commissioners in the "Dublin Gazette."

Incorporation of certain sections of 5 & 6 Vict. c. 89. (Irish Drainage Act), as to proprietors.

11. The twenty-fifth and twenty-sixth sections of the Act fifth and sixth Victoria, chapter eighty-nine, are incorporated in this Act, and the definition of proprietor contained in section one hundred and fifty-nine of that Act shall apply to this Act.

Power to proceed with the works.

12. On receiving such assents as herein-before mentioned, it shall be lawful for the Commissioners to proceed with the works so approved by the Treasury, subject to such alterations or reduction therein as may from time to time be made therein, pursuant to the provisions in this Act contained.

A.D. 1870.

To provide for alterations.

13. It shall be lawful for the Commissioners from time to time to make such alterations, additions, or reductions in or to the works sanctioned under this Act as may from time to time be approved by the Treasury.

Incorporation of Irish Drainage Act, 26 & 27 Vict. c. 88.

14. Subject to the provisions of this Act, sections from eighteen to thirty-one, both inclusive, of the Act of the twenty-sixth and twenty-seventh Victoria, chapter eighty-eight, under the head "General Powers of Drainage Boards," shall be incorporated with this Act, and all such powers shall and may be exercised by the Commissioners in carrying out the provisions of this Act; and such last-mentioned sections shall be read as if the word "Commissioners" had been inserted throughout such sections instead of the words "Drainage Board": Provided nevertheless, that the arbitrator to be appointed under the said Act shall be appointed by the Treasury.

Commissioners to make an award.

15. As soon as conveniently may be after the works by this Act authorised to be executed have been completed, the Commissioners shall make an award charging the lands specified in the valuation with the several amounts therein mentioned, with interest thereon at the rate of *three and a half* per centum per annum, computed from the date of the advance thereof respectively until the first of the gale days herein-after mentioned as shall happen next after the date of such award; and in making such award the Commissioners shall insert therein such determinations, matters, and things as they think proper.

Award to be enrolled.

16. Every such award when finally settled by the Commissioners, with proper schedules, map, or plan describing the lands therein to which such award shall relate, shall be enrolled in the Rolls Office of Her Majesty's High Court of Chancery in Ireland; and such award, when so finally settled and enrolled, shall be binding and conclusive on all parties; and a copy thereof, certified by the proper officer of Her Majesty's Rolls Office, shall be conclusive evidence that all the requisitions of this Act in relation thereto were complied with.

Lands to become chargeable with rentcharge.

17. *The several lands mentioned in said award shall, from the date thereof, become charged with the payment to Her Majesty of an annual rentcharge of five pounds for every one hundred pounds charged on the said lands respectively, and so in proportion for every lesser amount, to be payable for the term of thirty-five years, to be computed from the fifth day of April or tenth day of October which shall next happen after the making of such award; such rentcharge to be paid by equal half-yearly payments on the fifth day*

A.D. 1870.

of April and tenth day of October in every year, the first of such payments to be made on the second of such days which shall happen after the date of said award: Provided always, that where the gross sum chargeable by the said award upon any particular parcel or denomination of land shall not exceed the sum of one hundred pounds, it shall be lawful for the Commissioners by the said award to fix and determine the instalments by which such sum, together with interest at the rate of four pounds per cent. per annum from the date of said award, shall be repaid; and such instalments shall be chargeable and recoverable in like manner as the rentcharge aforesaid.

Priority of rentcharge.

18. *Every such rentcharge or instalment shall take priority of all charges and incumbrances whatsoever and whensoever made, and of all rent payable out of the said lands, save and except quitrents and rentcharges in lieu of tithes; and also save all charges prior in date (if any) created under the authority or provisions of any Act of Parliament heretofore passed; and section one of an Act passed in the twenty-ninth Victoria, chapter twenty-six, intituled "An "Act to secure the repayment of public moneys advanced for the "drainage and improvement of lands and other like objects in "Ireland," shall extend to and include charges created under the provisions of this Act.*

Rentcharge upon other lands of the same proprietors.

19. *The rentcharge aforesaid, charged by virtue of this Act upon any lands improved under this Act, shall be held to be chargeable upon such other lands being part of the same denomination or townland, and belonging to the same proprietor, or settled to the like uses as may, by the award of the Commissioners, be made chargeable therewith, subject as to such last-mentioned lands to the full amount of all incumbrances affecting the same at the date of such award.*

Rentcharge to be paid to the commissioners.

20. *Any rentcharge payable under this Act shall be paid to the Commissioners, or to such persons and in such manner as the Treasury may from time to time appoint, and the receipt of the Commissioners or their accountant, or any other persons to whom any rentcharge directed to be paid, shall be a sufficient discharge for the same.*

Incorporation of certain sections of 10 Vict. c. 32. For recovery of rentcharge. And as to tenants

21. The thirty-ninth, fortieth, forty-second, forty-third, forty-fifth, forty-sixth, forty-ninth, fiftieth, fifty-first, fifty-second, fifty-third, fifty-sixth, and fifty-seventh sections of the Act tenth Victoria, chapter thirty-two, being an Act to facilitate the improvement of Landed Property in Ireland, shall be deemed to be incorporated in this Act, save that every act in any of said

sections directed to be done by or to the Paymaster of Civil Service shall be done by or to the Commissioners, and shall be as effectual to all intents and purposes as any such act would have been if done by or to the Paymaster under the provisions of the said last-mentioned Act.

paying for landlords. Proprietors charging increased rent.

22. The Act of 1839 shall, except where its provisions are inconsistent with or repugnant to the provisions of this Act, be incorporated therewith as one Act, and all the powers, authorities, and privileges of the Commissioners mentioned in that Act as to the execution of works, the care, conservancy, and maintenance of the River Shannon, and of the works connected therewith, imposing, demanding, receiving, and enforcing payment of tolls, making bye-laws, or otherwise howsoever, shall vest in the Commissioners for the purposes of this Act.

Incorporation of 2 & 3 Vict. c. 61.

Shannon Navigation.

A

BILL

To amend and enlarge the powers of the Acts relating to the navigation of the River Shannon; and for other purposes relating thereto.

(*Prepared and brought in by Mr. Stansfeld and Mr. Chichester Fortescue.*)

Ordered, by The House of Commons, *to be Printed*, 4 *July* 1870.

[Bill 192.]

Under 1 *oz.*

A

B I L L

[AS AMENDED BY THE SELECT COMMITTEE]

TO

Amend and enlarge the powers of the Acts relating to the Navigation of the River Shannon; and for other purposes relating thereto. A.D. 1870.

WHEREAS an Act was passed in the session of Parliament held in the fifth and sixth years of the reign of His late Majesty King William the Fourth, chapter sixty-seven, intituled "An Act "for the improvement of the navigation of the River Shannon," (in this Act called the Act of 1835) and by that Act Commissioners were appointed to carry the same into effect: 5 & 6 W. 4. c. 67.

And whereas a further Act was passed in the session of Parliament held in the second and third years of the reign of Her present Majesty, chapter sixty-one, intituled "An Act for the improve- "ment of the navigation of the River Shannon," (in this Act called the Act of 1839) whereby certain works were authorised to be constructed, subject to such alterations, additions, or reductions as might from time to time be found necessary: 2 & 3 Vict. c. 61.

And whereas by an Act passed in the session of Parliament held in the ninth and tenth years of the reign of Her present Majesty, chapter 86, intituled "An Act to extend and consolidate the powers "hitherto exercised by the Commissioners of Public Works in "Ireland, and to appoint additional commissioners," (in this Act called the Act of 1846,) it is amongst other things enacted, that from and after the thirtieth September, one thousand eight hundred and forty-six, the Commissioners of Public Works in Ireland for the time being should be the commissioners for the execution of the Acts of 1835 and 1839; and all the powers, authorities, and privileges, rights, titles, and interests, then or theretofore vested in the commissioners for the execution of the Acts of 1835 and 1839 should vest in and devolve upon, and should be respectively used, exercised, and enjoyed by the Commissioners of Public Works in Ireland for the time being, who should, for the purposes of the said 9 & 10 Vict. c. 86.

A.D. 1870.

Acts, be and be deemed to be in the place and stead of the persons theretofore being commissioners for the execution of the said Acts:

And whereas the preservation of the navigation of the River Shannon is of national importance, and it would be attended with great local advantage if works were executed in connexion with the said river to carry away the flood waters of such river, and to prevent the inundation of the several lands adjacent and near thereto:

And whereas the proprietors of the lands adjacent or near to the said river have applied to the Commissioners of Her Majesty's Treasury to aid them in the execution of the said works, and the said Commissioners, subject to the approval of Parliament, have agreed to afford them aid to the extent and subject to the provisions hereinafter contained:

And whereas the estimated cost of the works to be executed under the powers of this Act and for carrying the same into effect is one hundred and ninety-one thousand pounds:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may for all purposes be cited as "The Shannon Act, "1870," and the Shannon Acts of 1835, 1839, and 1846 may respectively be cited separately as the Shannon Act of 1835, 1839, and 1846, and all the Acts mentioned in this section may be cited under the short title of the Shannon Acts 1835 to 1870.

Definition of terms.

2. The words "the Treasury" when used in this Act shall mean the Lords Commissioners of Her Majesty's Treasury, or any two or more of them.

The words "the Commissioners" shall mean the Commissioners of Public Works in Ireland for the time being.

The word "lands" shall extend to and include mills and water power, and any easement into or out of land, and all hereditaments corporeal or incorporeal, and every estate or interest therein, or incumbrance thereon.

The word "person" in this Act shall comprehend all corporations sole or aggregate, or any number of persons united in partnership.

Commissioners of Public Works to be Commissioners for this Act.

3. The Commissioners shall carry into effect the objects and powers of this Act.

Clause A. Limits of works.

4. The works to be executed under the provisions of this Act shall be confined to the lower division of the said river Shannon between Athlone and Worlds End, and also in connexion therewith works at Athlone for the regulation of the water of Lough Ree.

A.D. 1870.

Funds provided.

5. *For the purpose of the works by this Act authorised the Treasury may from time to time, by warrant, cause to be issued out of the Consolidated Fund of the United Kingdom, or the growing produce thereof, any sum or sums of money not exceeding in the whole the sum of two hundred thousand pounds, such money to be at the disposal of the Commissioners for the purposes of this Act.*

Application of moneys.

6. *Out of the sum so to be placed at the disposal of the Commissioners the sum of one hundred thousand pounds shall be charged upon the lands to be relieved from inundation or otherwise improved, in proportion to the benefit conferred on such lands respectively, and in manner herein-after mentioned, and the sum of one hundred thousand pounds, or such smaller sum as may be necessary for completion of the works, shall be considered as a free grant.*

Plans of proposed works to be submitted to Treasury, and valuation to be made of lands to be charged.

7. Previously to undertaking any works under this Act the Commissioners shall from time to time submit for approval of the Treasury plans, specifications, and estimates of the works proposed to be executed under this Act; and so soon as conveniently may be after such plans, specifications, and estimates have been so approved, the Commissioners shall cause to be deposited at the Shannon Navigation Office, Athlone, or elsewhere, as they may consider convenient, copies of the plans, specifications, and estimates so approved, and also a survey and valuation of the lands contemplated to be relieved from inundation and improved under this Act, describing in general terms and by reference to maps or schedules, or otherwise as the Commissioners may think fit and proper, the lands contemplated to be relieved from inundation and improved under this Act, and specifying the proprietors of such lands respectively, *and the respective amounts to be charged on the lands respectively of each proprietor under this Act.*

The plans and specifications required by this section are herein-after included under the term "plans," and the survey and valuation, including the specification of the amounts to be charged upon the lands, are herein-after included in the term "valuation."

Valuation to be deposited for public inspection.

8. The Commissioners shall, immediately after the making such valuation, cause the same to be printed, and a copy to be deposited in their office, and another copy thereof to be deposited with the clerk of the peace for every county wherein the lands to be charged, or any part thereof, are situate, and such clerk of the peace is hereby authorised and required to receive the same, and all persons shall have liberty to inspect the same on payment of *sixpence;* and when such copy has been so deposited the Commissioners shall cause notice thereof to be inserted in some one or more

A.D. 1870.

newspapers circulating in the district in the vicinity whereof the lands are situate; and the Commissioners shall by the same or a separate notice require all persons who may desire to object to the said valuation in respect of the description of the lands charged or of the sums charged thereon to lodge such objections at such place and before such time as is specified in such notice; and the Commissioners shall also, in the said notice, state that they will proceed to hear any such objection which may be made, and finally settle the valuation at such time and place as may be specified in such notice.

Commissioners to attend and hear objections.

9. The Commissioners, or one of them, shall attend at the appointed time and place, and examine into the matter of any such objection, and hear all such proper evidence as may be offered to them or him in respect thereof, and make such alterations (if any) in such valuation as they or he think fit, and may adjourn such attendance from time to time and to such place as they shall think fit, and shall settle and sign such valuation.

Commissioners to give notice.

10. The Commissioners, when they have settled such valuation, shall cause notice of such settlement to be given in the "Dublin Gazette," and in some one or more newspapers circulating in the counties of Westmeath, Roscommon, King's County, County Tipperary, Galway, Clare, and Limerick, and by such notice the proprietors of the lands contemplated to be relieved from inundation and improved under this Act shall be called upon to transmit to the Commissioners in Dublin, in such form and subject to such regulations as the Commissioners may direct, their assent or dissent to the execution of the works under this Act.

Works not to be commenced until assent of proprietors had.

11. No works shall be commenced under this Act unless the reputed proprietors of two thirds or more in extent of the land proposed to be improved assent to the execution of the works by this Act authorised, and signify such assent in writing under their hands respectively, within two years from the date of the publication of such notice as aforesaid by the Commissioners in the "Dublin Gazette."

Incorporation of certain sections of 5 & 6 Vict. c. 89. (Irish Drainage Act), as to proprietors.

12. The twenty-fifth and twenty-sixth sections of the Act fifth and sixth Victoria, chapter eighty-nine, are incorporated in this Act, and the definition of proprietor contained in section one hundred and fifty-nine of that Act shall apply to this Act.

Power to proceed with the works.

13. On receiving such assents as herein-before mentioned, it shall be lawful for the Commissioners to proceed with the works so

approved by the Treasury, subject to such alterations or reduction therein as may from time to time be made therein, pursuant to the provisions in this Act contained.

To provide for alterations.

14. It shall be lawful for the Commissioners from time to time to make such alterations, additions, or reductions in or to the works sanctioned under this Act as may from time to time be approved by the Treasury.

Incorporation of Irish Drainage Act, 26 & 27 Vict. c. 88.

15. Subject to the provisions of this Act, sections from eighteen to thirty-one, both inclusive, of the Act of the twenty-sixth and twenty-seventh Victoria, chapter eighty-eight, under the head "General Powers of Drainage Boards," shall be incorporated with this Act, and all such powers shall and may be exercised by the Commissioners in carrying out the provisions of this Act; and such last-mentioned sections shall be read as if the word "Commissioners" had been inserted throughout such sections instead of the words "Drainage Board": Provided nevertheless, that the arbitrator to be appointed under the said Act shall be appointed by the Treasury.

Commissioners to make an award.

16. As soon as conveniently may be after the works by this Act authorised to be executed have been completed, the Commissioners shall make an award charging the lands specified in the valuation with the several amounts therein mentioned; and in making such award the Commissioners shall insert therein such determinations, matters, and things as they think proper.

Award to be enrolled.

17. Every such award when finally settled by the Commissioners, with proper schedules, map, or plan describing the lands therein to which such award shall relate, shall be enrolled in the Rolls Office of Her Majesty's High Court of Chancery in Ireland; and such award, when so finally settled and enrolled, shall be binding and conclusive on all parties; and a copy thereof, certified by the proper officer of Her Majesty's Rolls Office, shall be conclusive evidence that all the requisitions of this Act in relation thereto were complied with.

Lands to become chargeable with rentcharge.

18. *The several lands mentioned in said award shall, from the date thereof, become charged with the payment to Her Majesty of an annual rentcharge of five pounds for every one hundred pounds charged on the said lands respectively, and so in proportion for every lesser amount, to be payable for the term of thirty-five years, to be computed from the fifth day of April or tenth day of October which shall next happen after the making of such award; such rentcharge to be paid by equal half-yearly payments on the fifth day*

A.D. 1870.

of April and tenth day of October in every year, the first of such payments to be made on the first of such days which shall happen after the date of said award: Provided always, that where the gross sum chargeable by the said award upon any particular parcel or denomination of land shall not exceed the sum of one hundred pounds, it shall be lawful for the Commissioners by the said award to fix and determine the instalments by which such sum, together with interest at the rate of four pounds per cent. per annum from the date of said award, shall be repaid; and such instalments shall be chargeable and recoverable in like manner as the rentcharge aforesaid.

Priority of rentcharge.

19. *Every such rentcharge or instalment shall take priority of all charges and incumbrances whatsoever and whensoever made, and of all rent payable out of the said lands, save and except quitrents and rentcharges in lieu of tithes; and also save all charges prior in date (if any) created under the authority or provisions of any Act of Parliament heretofore passed; and section one of an Act passed in the twenty-ninth Victoria, chapter twenty-six, intituled "An "Act to secure the repayment of public moneys advanced for the "drainage and improvement of lands and other like objects in "Ireland," shall extend to and include charges created under the provisions of this Act.*

Rentcharge upon other lands of the same proprietors.

20. *The rentcharge aforesaid, charged by virtue of this Act upon any lands improved under this Act, shall be held to be chargeable upon such other lands being part of the same denomination or townland, and belonging to the same proprietor, or settled to the like uses as may, by the award of the Commissioners, be made chargeable therewith, subject as to such last-mentioned lands to the full amount of all incumbrances affecting the same at the date of such award.*

Rentcharge to be paid to the commissioners.

21. *Any rentcharge payable under this Act shall be paid to the Commissioners, or to such persons and in such manner as the Treasury may from time to time appoint, and the receipt of the Commissioners or their accountant, or any other persons to whom any rentcharge directed to be paid, shall be a sufficient discharge for the same.*

Incorporation of certain sections of 10 Vict. c. 32. For recovery of rentcharge. And as to tenants

22. The thirty-ninth, fortieth, forty-second, forty-third, forty-fifth, forty-sixth, forty-ninth, fiftieth, fifty-first, fifty-second, fifty-third, fifty-sixth, and fifty-seventh sections of the Act tenth Victoria, chapter thirty-two, being an Act to facilitate the improvement of Landed Property in Ireland, shall be deemed to be incorporated in this Act, save that every act in any of said

sections directed to be done by or to the Paymaster of Civil Service shall be done by or to the Commissioners, and shall be as effectual to all intents and purposes as any such act would have been if done by or to the Paymaster under the provisions of the said last-mentioned Act.

paying for landlords. Proprietors charging increased rent.

23. The Act of 1839 shall, except where its provisions are inconsistent with or repugnant to the provisions of this Act, be incorporated therewith as one Act, and all the powers, authorities, and privileges of the Commissioners mentioned in that Act as to the execution of works, the care, conservancy, and maintenance of the River Shannon, and of the works connected therewith, imposing, demanding, receiving, and enforcing payment of tolls, making bye-laws, or otherwise howsoever, shall vest in the Commissioners for the purposes of this Act.

Incorporation of 2 & 3 Vict. c. 61.

Shannon Navigation.

A

BILL

[AS AMENDED BY THE SELECT COMMITTEE]

To amend and enlarge the powers of the Acts relating to the navigation of the River Shannon; and for other purposes relating thereto.

(*Prepared and brought in by Mr. Stansfeld and Mr. Chichester Fortescue.*)

Ordered, by The House of Commons, *to be Printed*, 26 *July* 1870.

[Bill 240.]

Under 1 *oz.*

A

B I L L

TO

Amend and extend the Act sixteenth and seventeenth Victoria, chapter ninety-two, to make further provision for uniting counties in Scotland in so far as regards the jurisdiction of the Sheriff; and also to make certain provisions regarding the duties of Sheriffs and Sheriffs Substitute in Scotland. A.D. 1870.

WHEREAS it is expedient to amend and extend the Act sixteenth and seventeenth Victoria, chapter ninety-two, and to make further provision for uniting counties in Scotland in so far as regards the jurisdiction of the sheriff; and also to make certain provisions regarding the duties of sheriffs and sheriffs substitute in Scotland:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Counties specified in schedule to be united, and provision for discharge of duties of sheriff of the united counties.

1. Whenever a vacancy shall occur in the office of sheriff of any counties or county specified in the schedule hereunto annexed, such counties or county and the other counties or county named or included therewith as counties to be united, shall be united into one sheriffdom under the name specified in the said schedule, and the functions of the sheriff of the counties or county in which the vacancy shall occur shall thereupon devolve on and be discharged by the sheriff of such other counties or county so included therewith, and such sheriff shall thereafter be the sheriff of the sheriffdom of said united counties, without the necessity of any new commission being issued in his favour, and shall have the title specified in said schedule, and shall have and exercise all the jurisdiction, powers, privileges, and authority competent to the sheriff of said counties respectively.

County of Kincardine to be united

2. The county of Kincardine, the office of sheriff whereof is now vacant, shall be and is hereby united with the county of Aberdeen

A.D. 1870.

to county of Aberdeen.

into one sheriffdom, to be called the Sheriffdom of Aberdeen and Kincardine, and the functions of the sheriff of the said county of Kincardine shall devolve on and are hereby devolved on and shall be discharged by the sheriff of the county of Aberdeen, who shall be and shall be denominated the Sheriff of Aberdeen and Kincardine, without the necessity of any new commission being issued in his favour.

County of Banff to be united with counties of Aberdeen and Kincardine, and counties of Elgin and Nairn to be united with county of Inverness.

3. Whenever a vacancy shall occur in the office of sheriff of Banff, Elgin, and Nairn, the said counties shall be disunited and shall no longer constitute one sheriffdom, and the county of Banff shall be united with the counties of Aberdeen and Kincardine into one sheriffdom, to be thereafter called the sheriffdom of Aberdeen, Kincardine, and Banff, and the functions of the sheriff of the said county of Banff shall thereupon devolve on and be discharged by the sheriff of Aberdeen and Kincardine, who shall be and shall be denominated the Sheriff of Aberdeen, Kincardine, and Banff, without the necessity of any new commission being issued in his favour; and the counties of Elgin and Nairn shall in like manner be united with the county of Inverness into one sheriffdom, to be called the sheriffdom of Inverness, Elgin, and Nairn, and the functions of the sheriff of the counties of Elgin and Nairn shall thereupon devolve on and be discharged by the sheriff of the county of Inverness, who shall be and shall be denominated the Sheriff of Inverness, Elgin, and Nairn, without the necessity of any new commission being issued in his favour.

Counties of Orkney and Shetland to be united with county of Caithness, and county of Sutherland to be united with counties of Ross and Cromarty.

4. The counties of Sutherland and Caithness are hereby disunited, and shall no longer constitute one sheriffdom, and the counties of Orkney and Shetland, the office of sheriff whereof is now vacant, shall be and are hereby united with the county of Caithness into one sheriffdom to be called the sheriffdom of Caithness, Orkney, and Shetland, and the now existing sheriff of Sutherland and Caithness shall be and is hereby relieved and discharged of his office of sheriff, in so far as regards the county of Caithness; and the counties of Ross and Cromarty, the office of sheriff whereof is now vacant, shall be and is hereby united with the county of Sutherland into one sheriffdom, to be called the sheriffdom of Ross, Cromarty, and Sutherland; and the functions of the sheriff of the said counties of Ross and Cromarty shall devolve and are hereby devolved on and shall be discharged by the sheriff of Sutherland, who shall be and shall be denominated the Sheriff of Ross, Cromarty, and Sutherland, without the necessity of any new commission being issued in his favour.

A.D. 1870.

County of Linlithgow to be united with the county of Mid-Lothian, and the counties of Clackmannan and Kinross to be united with the county of Fife.

5. Whenever a vacancy shall occur in the office of sheriff of Linlithgow, Clackmannan, and Kinross, the said counties shall be disunited and shall no longer constitute one sheriffdom, and the county of Linlithgow shall be united with the county of Mid-Lothian into one sheriffdom, to be called the sheriffdom of Mid-Lothian and Linlithgow, and the functions of the said Sheriff of Linlithgow, shall thereupon devolve on and be discharged by the Sheriff of Mid-Lothian, who shall be and shall be denominated the Sheriff of Mid-Lothian and Linlithgow, without the necessity of any new commission being issued in his favour; and the counties of Clackmannan and Kinross shall be united with the county of Fife into one sheriffdom to be called the sheriffdom of Fife, Clackmannan, and Kinross; and the functions of the sheriff of Clackmannan and Kinross, shall thereupon devolve on and be discharged by the Sheriff of Fife, who shall be and shall be denominated the Sheriff of Fife, Clackmannan, and Kinross, without the necessity of any new commission being issued in his favour.

County of Haddington to be united with the county of Mid-Lothian, and the county of Berwick to be united with the counties of Roxburgh and Selkirk.

6. Whenever a vacancy shall occur in the office of sheriff of Haddington and Berwick the said counties shall be disunited and shall no longer constitute one sheriffdom, and the county of Haddington shall be united with the county of Mid-Lothian into one sheriffdom, to be called the sheriffdom of Mid-Lothian and Haddington, and the functions of the Sheriff of Haddington shall thereupon devolve on and be discharged by the Sheriff of Midlothian, who shall be and shall be denominated the Sheriff of Mid-Lothian and Haddington, without the necessity of any new commission being issued in his favour; and the county of Berwick shall be united with the counties of Roxburgh and Selkirk into one sheriffdom, to be called the sheriffdom of Roxburgh, Berwick, and Selkirk, and the functions of the Sheriff of Berwick shall thereupon devolve on and be discharged by the Sheriff of Roxburgh and Selkirk, who shall be and shall be denominated the Sheriff of Roxburgh, Berwick, and Selkirk, without the necessity of any new commission being issued in his favour.

Sheriffdom of Mid-Lothian, Linlithgow, Haddington, and Peebles to be called the Sheriffdom of the Lothians and Peebles.

7. So soon as the counties of Mid-Lothian, Linlithgow, and Haddington are united into one sheriffdom, the said sheriffdom shall be called the sheriffdom of the Lothians, and when the county of Peebles is added thereto the said sheriffdom shall be called the sheriffdom of the Lothians and Peebles.

No separate appointments to be made to the office of sheriff of the

8. After any union of counties shall have occurred under the provisions of this Act no separate appointment shall be made to the office of sheriff of any county so united, but appointment shall only

A.D. 1870.

be made to the office of sheriff of such united counties or sheriffdoms as vacancies shall occur after such union.

counties to be united.

Sheriff to have no right to additional salary.

9. Nothing herein contained shall give any right to the sheriff of any such united counties to any additional salary beyond that enjoyed by him as sheriff of any county or counties before such union.

Union of counties to be complete as regards jurisdiction, &c. of sheriff, and powers, privileges, &c. of procurators, clerks, and officers of courts.

10. Every union of counties into one sheriffdom under the provisions of this and the recited Act, or either of them, shall be deemed to be a complete union to all intents and purposes in so far as regards the jurisdiction, powers, and duties of the sheriff and his substitutes, and in so far as regards the powers, duties, rights, and privileges of procurators before the Courts of the sheriff, and the powers and duties of the clerks and officers of the said Courts. And the several counties of any such united sheriffdom shall not thereafter be regarded as separate sheriffdoms or jurisdictions, but as one sheriffdom and jurisdiction, in so far as regards the powers, duties, rights, and privileges of the sheriff and his substitutes, and the procurators, clerks, and officers of the sheriff's court.

Courts to be held, and duties to be discharged by sheriffs.

11. It shall be lawful to Her Majesty, by one of Her Principal Secretaries of State, to prescribe from time to time the number of courts to be held by the several sheriffs of Scotland who shall be appointed after the passing of this Act, and the times and places for holding such courts; and also from time to time to prescribe the duties of the office of sheriff which such sheriffs respectively are required to perform personally; provided always that nothing herein contained, and no order made or direction given under the authority of this clause, shall affect the validity or legal authority of any act done by any sheriff or sheriff substitute in pursuance of his jurisdiction and lawful authority. And all sheriffs, whether appointed before or subsequent to the passing of this Act, are hereby relieved of the duty of attending the sittings of the Court of Session.

Courts to be held and duties to be discharged by sheriff's substitute.

12. It shall be lawful to Her Majesty, by one of Her Principal Secretaries of State, from time to time to prescribe the number of salaried sheriff substitutes of the several counties or sheriffdoms, and the places at which such salaried sheriff substitutes respectively are required generally to reside and attend for the performance of their duties, and the number of courts to be held by them, and the times and places of holding such courts.

SCHEDULE before referred to.

Counties to be united.	Name of Sheriffdom.
1. The counties of Stirling and Dumbarton.	The Sheriffdom of Stirling and Dumbarton.
2. The counties of Renfrew and Bute.	The Sheriffdom of Renfrew and Bute.
3. The counties of Dumfries, Kirkcudbright and Wigtown.	The Sheriffdom of Dumfries, Kirkcudbright and Wigtown.

(1853) Amendment, &c.

A

B I L L

To amend and extend the Act sixteenth and seventeenth Victoria, chapter ninety-two, to make further provision for uniting counties in Scotland in so far as regards the jurisdiction of the Sheriff; and also to make certain provisions regarding the duties of Sheriffs and Sheriffs Substitute in Scotland.

(*Prepared and brought in by The Lord Advocate and Mr. Adam.*)

Ordered, by The House of Commons, *to be Printed*, 4 *July* 1870.

[Bill 191.]

Under 1 *oz.*

A

B I L L

TO

Amend "The Shipping Dues Exemption Act, 1867." A.D. 1870.

WHEREAS by "The Shipping Dues Exemption Act, 1867," provision is made for the abolition of certain exemptions from local dues on shipping and on goods carried in ships, and for payment of compensation for such abolition: 30 & 31 Vict. c. 15.

And whereas the said Act contains the following provision; that is to say,

"With respect to determining the amount of compensation to "be paid under this Act the following rules shall be observed:

"(1.) The claimant shall send to the receiver of dues, and to "the Board of Trade, in writing, his claim to compensation, "stating the amount and grounds of his claim, and shall "give such evidence in support of his claim as the Board "of Trade may require:

"(2.) This claim shall be sent in to the Board of Trade within "three months after the commencement of this Act, and "if it is not sent in within that time the claimant shall "not be entitled to any compensation in respect of the "time prior to the date of the receipt of such claim by "the Board of Trade; and if it is not sent in within one "year after the passing of this Act the claimant shall not "be entitled to any compensation:

"(3.) As soon as may be after receiving such claim, the receiver "of dues shall agree with the claimant on the amount "of the compensation to be paid, and the times and mode "of such payment, but such agreement shall be subject "to the approval of the Board of Trade:"

And whereas in certain cases claims for compensation have been sent to the receiver of dues, and agreements for compensation have been made between the claimant and such receiver, but through inadvertence such claims have not been sent in to the

A.D. 1870.

Board of Trade within the time prescribed by the said recited Act; and it is expedient to extend the time for sending in and approving such claims:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Agreements for compensation made but not sent in to the Board of Trade within the time prescribed by recited Act may be approved by Board of Trade.

1. In any case in which any claim has been allowed by or any agreement for compensation has been made with the receiver of dues under "The Shipping Dues Exemption Act, 1867," but has not been sent in to the Board of Trade within the time prescribed by the said Act, the Board of Trade, if satisfied that the omission to send in the same to them has arisen from inadvertence, may at any time within six months from the date of this Act approve the same, and compensation shall thereupon be paid according to the terms of such claim or agreement, as if the same had been duly sent to the Board of Trade within the time prescribed by the said Act and approved in accordance with the provisions thereof.

Construction of Act.

2. This Act shall be construed with and as part of "The Shipping Dues Exemption Act, 1867."

Repeal of Shipping Dues Exemption Act, 1869.

3. "The Shipping Dues Exemption Act Amendment Act, 1869," shall be repealed.

Shipping Dues Exemption Act, 1867, Amendment.

A

BILL

To amend "The Shipping Dues Exemption Act, 1867."

(*Prepared and brought in by Mr. Russell Gurney and Mr. Cowper-Temple.*)

Ordered, by The House of Commons, *to be Printed,* 4 *July* 1870.

[Bill 194.]

Under 1 *oz.*

A

B I L L

INTITULED

An Act to vest Jurisdiction in matters arising within the Dominions of the Kings of Siam in the Supreme Court of the Straits Settlements. A.D. 1870.

WHEREAS doubts have been entertained whether the Supreme Court of the Straits Settlements has the jurisdiction over matters arising in Siam which was vested in the then existing Supreme Court of Her Majesty's Possession of Singapore, by an Order in Council dated the twenty-eighth day of July one thousand eight hundred and fifty-six, and by an Act of the twentieth and twenty-first years of Her Majesty's reign, chapter seventy-five, intituled "An Act to confirm an Order in Council concerning the "exercise of jurisdiction in matters arising within the kingdom of "Siam:" Order in Council of July 28, 1856. 20 & 21 Vict. c. 75.

And whereas it is expedient that such doubts should be removed, and that such jurisdiction should be vested in the said Supreme Court of the Straits Settlements:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. This Act may be cited for all purposes as the Siam and Straits Settlements Jurisdiction Act, 1870. Short title.

2. All the powers and jurisdiction in respect of matters civil and criminal arising within the dominions of the kings of Siam which were vested in the said Supreme Court of Singapore by the herein-before recited Order in Council and Act of Parliament shall be and the same are hereby vested in the said Supreme Court of the Straits Settlements. Jurisdiction in respect of certain matters civil and criminal arising in Siam vested in the Supreme Court of the Straits Settlements.

3. Her Majesty may, by Order in Council, exercise in respect to the said Supreme Court of the Straits Settlements all the powers which under the said Act Her Majesty might have exercised in respect to the Supreme Court at Singapore.

[Bill 232.]

ments Jurisdiction.
[H.L.]

A

B I L L

INTITULED

An Act to vest Jurisdiction in matters arising within the Dominions of the Kings of Siam in the Supreme Court of the Straits Settlements.

(*Brought from the Lords* 19 *July* 1870.)

Ordered, by The House of Commons, *to be Printed,* 20 *July* 1870.

[Bill 232.]

Under 1 *oz.*

A

B I L L

TO

Facilitate the purchase and taking of Sites for Places of Worship and Schools. A.D. 1870.

WHEREAS it is expedient to grant further facilities for the acquisition of land for sites for places of worship and schools:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited for all purposes as the "Places of Worship and Schools Sites Act, 1870."

Not to extend to Ireland or Scotland.

2. This Act shall not extend to Scotland or Ireland.

Interpretation clause.

"Place of worship:"

3. In the construction of this Act, the word "place of worship" means and includes any church, chapel, meeting-house, or place for religious worship, whether intended for use according to the usage of the established church or of any other religious denomination or body.

"Poor school:"

The term "poor school" means any school with respect to which the payments, if any, made by or on behalf of the individual scholars are insufficient to satisfy the total expenses (including payments to teachers) of conducting such school:

"Commissioners:"

The term "the Commissioners" means the Inclosure Commissioners for England and Wales, and the term "Assistant Commissioner" means the Assistant Commissioner appointed by the Inclosure Commissioners:

"Justice."

The word "justice" has the same meaning as in the Lands Clauses Consolidation Act, 1845.

Incorporation of Lands Clauses Consolidation Act, 1845.

4. The Lands Clauses Consolidation Act, 1845, shall be incorporated with this Act, except as regards the provisions relating to access to the special Act, and with the further proviso or qualification herein-after appearing, and this Bill shall be deemed to be

a special Act within the meaning of that expression in the said Lands Clauses Consolidation Act.

Persons desirous of purchasing sites for places of worship, poor schools, &c. to be deemed "promoters of undertaking" within the Lands Clauses Consolidation Act, 1845.

5. From and after the *passing of this Act*, any persons who shall be desirous to purchase and take a site for a place of worship, or for a poor school, or for any convenient dwelling house, offices, or other buildings, yard, play-ground, or curtilage, to be occupied or used with any existing or future place of worship or poor school, or for all or any of such purposes, shall be deemed to be "promoters of the undertaking" in question, within the meaning of the said Lands Clauses Consolidation Act, and may accordingly purchase and take such site in manner provided by that Act.

Persons desirous of purchasing such sites to present memorial to Commissioners praying to be allowed to put in force powers of Lands Clauses Consolidation Act as to taking, &c. of lands with reference to specified lands.

Memorial to be verified by affidavit.

6. The said persons so desirous of purchasing and taking a site as aforesaid, before putting in force any of the powers of the said Lands Clauses Consolidation Act with respect to the purchase and taking of land otherwise than by agreement, shall cause to be presented a memorial to the Commissioners, stating the purposes for which such site is required, and stating that no land convenient for such site can be obtained by agreement, and specifying the land intended to be taken for such site, and stating the names of the reputed owners, lessees, or occupiers of such land, and the parties in whom the same is to be vested as trustees for the purposes aforesaid, and such memorial shall be verified by the affidavit on oath or solemn declaration (which oath or declaration any justice is hereby authorized to administer) of two or more of the memorialists, and shall pray that such persons as aforesaid may with reference to such lands be allowed to put in force the powers of the said Lands Clauses Consolidation Act with respect to the purchase and taking of land otherwise than by agreement, and such prayer shall be supported by such evidence as the Commissioners require.

Memorial to be signed by at least 50 persons, resident within four miles of site, and of full age.

7. Every memorial under this Act shall be signed by the persons so desirous of purchasing and taking a site as aforesaid, and also by other persons as concurring in the prayer of such memorial to the total number of *fifty* persons at least, resident within four miles from the site proposed to be purchased and taken, and above twenty-one years of age.

On receipt of memorial, Commissioners to direct inquiry into propriety of assenting to prayer of memorial.

8. On the receipt of such memorial the Commissioners shall take the same into consideration, and shall direct an inquiry before one of the Commissioners, or before an assistant Commissioner, to be held at the office of the Commissioners or elsewhere in or near London or Westminster, or in the district in which the land is situate in relation to the subject matter of the memorial, and the

person signing or otherwise supporting the same, and the area or district within which such persons reside, and may otherwise inquire into the propriety of assenting to the prayer of such memorial, but until such inquiry has been made, no order shall be made affecting any land without the consent of the owners, lessees, and occupiers thereof.

Commissioners to give notice of inquiry, and to cause notice thereof to be served on owner or reputed owner, lessee or reputed lessee and occupier.

9. The Commissioners shall cause public notice of such inquiry to be given by advertisement or otherwise as they shall think fit, and shall cause to be served a notice in manner herein-after mentioned on every owner or reputed owner, lessee, or reputed lessee and occupier of the land proposed to be taken for such site as aforesaid, defining in each case the particular land intended to be taken, and requiring an answer stating whether the person so served assents, dissents, or is neuter in respect of taking such land, such notice to be served by delivery of the same personally to the party required to be served, or if such party is absent abroad, to his agent, or by leaving the same at the usual or last-named place of abode of such party as aforesaid, or by forwarding the same by post in a registered letter addressed to the usual or last-known place of abode of such party.

After inquiry completed, Commissioners may dismiss memorial, or empower memorialists or others to put in force powers of Lands Clauses Consolidation Act as to taking, &c. of land.

10. After the completion of such inquiry as last aforesaid, the Commissioners may either dismiss the memorial, or may, if they shall think fit, by order empower the persons in that behalf mentioned in the memorial, or such other persons as the Commissioners shall think fit, to put in force with reference to the land referred to in such order, the powers of the said Lands Clauses Consolidation Act, with respect to the purchase and taking of land otherwise than by agreement, or any of them, and either absolutely or with such conditions and modifications as the Commissioners may think fit, and shall cause a copy of any order so made to be served in the manner, and upon the persons in which, and upon whom notices in respect of such land are herein-before required to be served.

For purposes of Act 22d and 23d sections of Lands Clauses Act to be read as if 150*l.* were substituted therein for 50*l.*

11. Provided always, that for all the purposes of this Act the said Lands Clauses Consolidation Act shall be read and construed as if the sum of *one hundred and fifty pounds* (and not the sum of fifty pounds only) were mentioned or referred to in the twenty-second and twenty-third sections of the same Lands Clauses Consolidation Act, as the amount not exceeding which compensation claimed is directed to be settled by two justices, and exceeding which compensation claim is directed to be settled by arbitration or a jury as in the said last-mentioned Act provided.

No order to authorize taking of any dwelling house, park, garden, pleasure ground, church, chapel, poor school, or land held therewith.

12. No order under this Act shall authorize the purchase or taking of all or any part of any dwelling house, or the curtilage thereof, or of any park, garden, or pleasure ground held or enjoyed therewith, or of any church, chapel, or poor school, or land held therewith respectively.

Costs to be borne by memorialists except in case of frivolous and vexatious opposition, when opposing party may be ordered to pay the same or any part thereof.

13. All costs, charges, and expenses incurred by the said Commissioners in relation to any such memorial, inquiry, or order as aforesaid, shall be borne by the parties presenting the memorial; provided, that if in any case the Commissioners shall consider that the opposition of any person or persons to or upon such memorial, inquiry, or order has been frivolous and vexatious, or has been conducted in such a manner as to occasion needless expense or delay, it shall be lawful for the Commissioners by order to direct such opposing person or persons to repay to the parties presenting the memorial all or any part (as the Commissioners think fit) of the said costs, charges, and expenses incurred by the said Commissioners, and the amount so ordered to be repaid may be deducted and retained out of the money (if any) payable under this Act or the said Lands Clauses Consolidation Act by the parties presenting the memorial to such opposing person or his representatives, and the excess, if any, of such amount not so deducted or retained, or the whole of such amount, if no part thereof be deducted and retained, shall be recoverable by distress, and on application to any justice he shall issue two warrants accordingly.

Not more than two acres to be taken for any one site.

14. Nothing in this Act contained shall authorize the purchase and taking, whether by agreement or otherwise, of more than two acres of land for any one such site as aforesaid.

If site within five years of its acquisition ceases for one year to be used for purposes authorized by Act, it is to revert to original owners.

15. In case any site which has been purchased and taken under this Act, whether by agreement or otherwise, shall at any time within the period of *five* years next after such purchase and taking cease for the space of *one* year continuously to be used for some or one of the purposes for which land is by this Act authorized to be purchased and taken, the same site shall immediately upon the expiration of such five years be and remain to the use of and be vested in such person or persons, and for such estates or interests, as would have been the case with respect thereto if the same land had not been so purchased and taken as aforesaid.

Sites for Places of Worship.

A

BILL

To facilitate the purchase and taking of Sites for Places of Worship and Schools.

(*Prepared and brought in by Mr. Osborne Morgan, Mr. Bouverie, Mr. Hinde Palmer, and Mr. Henry Richard.*)

Ordered, by The House of Commons, *to be Printed,* 10 *February* 1870.

[Bill 10.]

Under 1 *oz.*

A

BILL

TO

Disfranchise the Boroughs of Sligo and Cashel.

A.D. 1870.

WHEREAS representations were made to Her Majesty, in joint addresses of both Houses of Parliament, to the effect that the judges selected in pursuance of The Parliamentary Elections Act, 1868, for the trial of the petitions complaining of undue elections and returns for the boroughs of Sligo and Cashel at the elections of members to serve in Parliament, respectively held for the said boroughs in the month of November one thousand eight hundred and sixty-eight, had respectively reported to the House of Commons as to the said borough of Sligo that corrupt practices extensively prevailed at the said election, and as to the said borough of Cashel that there was reason to believe that the corrupt practice of bribery did extensively prevail at the said election:

And whereas, in pursuance of such representations, Commissioners were appointed under two several commissions, both dated the twenty-third day of June one thousand eight hundred and sixty-nine, for the purpose of making inquiry into the existence of such bribery and corrupt practices, in pursuance of the Act of Parliament passed in the sixteenth year of the reign of Her present Majesty, chapter fifty-seven, intituled "An Act to provide for the more "effectual inquiry into the existence of corrupt practices at elections "for members to serve in Parliament:"

And whereas the Commissioners so appointed reported to Her Majesty:

(1.) As respects the said borough of Sligo, that corrupt practices had extensively prevailed in Sligo at the elections of the years one thousand eight hundred and sixty, one thousand eight hundred and sixty-five, and the said election of the year one thousand eight hundred and sixty-eight:

(2.) As respects the said borough of Cashel, that the election of the year one thousand eight hundred and sixty-five was conducted in a corrupt manner on the part of one of the

A.D. 1870.

candidates, and that corrupt practices were committed at the said election, and that the said election of the year one thousand eight hundred and sixty-eight was conducted in a corrupt manner on the part of each of the candidates:

And whereas it appears by the report of the said Commissioners as to the said borough of Cashel, that corrupt practices extensively prevailed in Cashel at both the said elections:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Disfranchisement of Sligo and Cashel.

1. From and after the *passing of this Act* the boroughs of Sligo and Cashel shall respectively cease to return any member or members to serve in Parliament.

Persons reported guilty of bribery in Sligo disqualified as voters for the county of Sligo in respect of qualification arising in said borough.

2. Whereas the Commissioners appointed for the purpose of making inquiry into the existence of corrupt practices in the borough of Sligo by their report, dated the third day of March one thousand eight hundred and seventy, reported to Her Majesty that the persons named in the schedules (E.) and (F.) annexed to their said report had been guilty of bribery, in either giving or receiving bribes at the said election in the year one thousand eight hundred and sixty-eight: Be it enacted, that none of the persons so named in the said schedules shall have the right of voting for the county of Sligo in respect of a qualification situated within the said borough of Sligo.

Persons reported guilty of bribery in Cashel disqualified as voters for the county of Tipperary in respect of qualification arising in said borough.

3. Whereas the Commissioners appointed for the purpose of making inquiry into the existence of corrupt practices in the said borough of Cashel, by their report dated the eighteenth day of December one thousand eight hundred and sixty-nine, reported to Her Majesty that the persons named in the schedules (C.) and (D.) annexed to their said report had been guilty of bribery in either giving or receiving bribes at the said election in the year one thousand eight hundred and sixty-eight: Be it enacted, that none of the persons so named in the said schedules shall have the right of voting for the county of Tipperary in respect of a qualification situated within the said borough of Cashel.

Evidence of reports.

4. Any copy of either of the said reports by the said Commissioners appointed for the purpose of making inquiry into the existence of corrupt practices in either of the said boroughs of Sligo or Cashel, with the schedules thereunto annexed, purporting to be printed by the Queen's authority, shall, for the purposes of this Act, be deemed to be sufficient evidence of either of the said reports, and of the schedules annexed thereto.

Disfranchisement.

A

BILL

To disfranchise the Boroughs of Sligo and Cashel.

(Prepared and brought in by Mr. Solicitor-General for Ireland and Mr. Chichester Fortescue.)

Ordered, by The House of Commons, *to be Printed,* 23 *May* 1870.

[Bill 139.]

Under 1 *oz.*

Stamp Duties Bill.

ARRANGEMENT OF CLAUSES.

Clauses.

1. Short title and commencement of Act.
2. Interpretation of terms.
3. Grant of duties in schedule.
4. As to instruments charged with the duty of thirty-five shillings.
5. As to instruments relating to property belonging to the Crown.
6. All duties to be paid according to the regulations of this Act, and the schedule to be read as part of this Act.

General Regulations.

7. How instruments are to be written and stamped.
8. Instruments to be separately charged with duty in respect of several distinct matters, &c.
9. As to the use of appropriated stamps.
10. Facts and circumstances affecting duty to be set forth in instruments. Penalty 50*l*.
11. Money in foreign or colonial currency to be valued.
12. Stock and marketable securities to be valued.
13. Effect of statement or absence of statement of value.
14. As to denoting stamp.
15. Terms upon which instruments may be stamped after execution. Proviso as to instruments executed abroad; as to the remission of penalties.
16. Terms upon which unstamped or insufficiently stamped instruments may be received in evidence in any court. The officer of the court to account for duties and penalties.
17. Instrument not duly stamped inadmissible.
18. The commissioners may be required to express their opinion as to duty. Mode and effect of proceeding. Provisoes.

Clauses.

19. Person dissatisfied may appeal. Mode of proceeding.
20. The commissioners may call for, and refuse to proceed without, evidence. Proviso.
21. Rolls, books, &c. to be open to inspection. Penalty for refusal, 50*l.*
22. Penalty for enrolling, &c., any instrument not duly stamped, 50*l.*
23. How duties to be denoted.
24. General direction as to the cancellation of adhesive stamps. Penalty for neglect or refusal, 50*l.*
25. Penalty for frauds in relation to adhesive stamps, or to any duty, 50*l.*
26. Recovery of penalties.
27. Affidavits and declarations, how to be made.
28. Moneys received and not appropriated to be recoverable in Court of Exchequer.

Special Regulations.

As to Admissions generally.

29. Duty; how to be denoted.
30. Penalty on officers for neglect or refusal to prepare or make duly stamped documents or entries; 50*l.*

As to Admissions to the Degree of a Barrister-at-Law in Ireland, and of Students to the Society of King's Inns, Dublin.

31. Distinct accounts to be kept of certain sums payable to King's Inns, Dublin.
32. As to admission as a student of King's Inns, Dublin, of a member of Inns of Court in England.

As to Admissions or Appointments to and Grants of Offices or Employments.

33. Fees and emoluments; how to be estimated.
34. Re-appointments not chargeable with duty, except for augmentation.
35. No duty on promotion in the Customs, except for augmentation.

Clauses.

As to Agreements.

36. Duty may be denoted by adhesive stamp.

As to Appointments, &c. to Ecclesiastical Benefices, &c.

37. Net yearly value—how to be ascertained and determined.

As to Appraisements.

38. Appraisements to be written out. Penalty on the appraiser, 50*l.* On other offenders, 20*l.*

As to Instruments of Apprenticeship.

39. Interpretation of term.

40. Premium or consideration to be set out in writing. Penalty, 20*l.*, and the contract to be void.

As to original Articles of Clerkship.

41. Articles in England not to be charged with more than one duty of 80*l.*; and in certain cases may be stamped with additional duty.

42. Articles in Scotland not to be charged with more than one duty of 60*l.*; and in certain cases may be stamped with additional duty.

43. Terms upon which articles may be stamped after execution.

44. Distinct account to be kept of 14*l.* payable to King's Inns, Dublin.

As to Bank Notes, Bills of Exchange, and Promissory Notes.

45. Interpretation of terms.

46. Bank notes may be re-issued.

47. Penalty for issuing an unstamped bank note 50*l.* For receiving 20*l.*

48. Interpretation of term "Bill of exchange."

49. Interpretation of term "Promissory note."

50. Certain bills liable to ad valorem as well as fixed duty.

51. The fixed duty may be denoted by adhesive stamp.

52. Ad valorem duties to be denoted in certain cases by adhesive stamps. Provisoes for the protection of bonâ fide holders; not to relieve any other person.

Clauses.
53. Bills and notes purporting to be drawn, &c. abroad, to be deemed to have been so drawn, &c.
54. Terms upon which bills and notes may be stamped after execution.
55. Penalty for issuing, &c. any unstamped bill or note, 50*l.*; and the bill or note to be unavailable. Proviso as to the fixed duty; not to relieve from penalty.
56. Persons paying bills or notes, to cancel them, and adhesive stamps. Penalty, 50*l.*
57. One bill only out of a set need be stamped.

As to Bills of Lading.

58. Bills of lading.

As to Bills of Sale.

59. Bills of sale.

As to Bonds given in relation to the Duties of Customs and Excise.

60. Bonds not to include goods, &c. belonging to more than one person. Penalty, 50*l.*

As to the Certificates of Attorneys and others.

61. Penalty for practising without a certificate, or not making true statement on application for certificate, 50*l.*, and incapacity to recover fees, &c.
62. Penalty on unqualified persons preparing instruments, 50*l.* Proviso.
63. One certificate only in England, Scotland, or Ireland.
64. Certificates of attorneys, and others, in England and Ireland, to be taken out and stamped, according to the provisions of Acts relating thereto.
65. Other certificates how to be taken out and stamped.
66. Certain certificates to be dated and to expire as in this section mentioned.

As to the Certificate of Registration of a Design.

67. Duty to be denoted by appropriated stamp.

As to Charter Parties.

68. Duty may be denoted by adhesive stamp.

Clauses.
69. As to charter parties executed abroad.
70. Terms upon which charter parties may be stamped after execution.

As to Contract Notes.

71. Duty may be denoted by adhesive stamp. Penalty for making an unstamped note, 20*l.*; and no brokerage, &c. recoverable.

As to Conveyances on Sale.

72. Interpretation of term.
73. How ad valorem duty to be calculated in respect of stock and securities.
74. How consideration consisting of periodical payments to be charged.
75. How conveyance in consideration of a debt, or subject to future payment, &c., to be charged.
76. Direction as to duty in certain cases.
77. As to the sale of an annuity or right not before in existence.
78. Where several instruments, the principal instrument only to be charged with ad valorem duty.
79. Principal instrument—how to be ascertained.

As to Conveyances on any occasion except Sale or Mortgage.

80. What is to be deemed a conveyance on any occasion, not being a sale or mortgage.

As to attested Copies and Extracts.

81. Certain copies and extracts may be stamped without penalty within 14 days after attestation.

As to certified Copies and Extracts from Registers of births, &c.

82. By whom duty to be paid may be denoted by adhesive stamp.

As to Copyhold and Customary Estates.

83. Payment of duty to be certified.
84. Not to be charged more than once.
85. Facts and circumstances affecting duty, how to be stated. Penalty, 50*l.*

Clauses.

86. Steward to refuse to perform certain acts. Penalty for not refusing, 50*l.*

87. Steward to make out duly stamped copies. Penalty for neglect, 50*l.*; and to be liable for the duty.

88. Steward may refuse to proceed except on payment of his fees, and duty.

As to Delivery Orders and Warrants for Goods.

89. Interpretation of term.

90. Interpretation of term.

91. Duty may be denoted by an adhesive stamp.

92. By whom duty on delivery order to be paid.

93. What documents to be chargeable as delivery orders. Penalty for making false statement, or signing, &c., or making use of, any order not duly stamped, or containing any false statement, 20*l.*

94. Penalty for making, &c. unstamped warrant, 20*l.*

As to Duplicates and Counterparts.

95. When duly stamped.

As to Exchange or Excambion and Partition or Division.

96. As to exchange or excambion, &c.

As to Grants of Honours and Dignities.

97. How to be charged in certain cases.

As to Leases, &c.

98. Agreements for not more than 35 years to be charged as leases.

99. Leases—how to be charged in respect of produce, &c. Effect of statement or absence of statement of value.

100. No duty in respect of penal rent, or surrender of previous lease.

101. Duty in certain cases may be denoted by adhesive stamp. Proviso.

102. Penalty in certain cases 5*l.* Proviso.

Clauses.

As to Letters of Allotment, Scrip Certificates, and Scrip.

103. Penalty for executing, &c. not duly stamped, 20*l.*

As to Letters or Powers of Attorney, and Voting Papers.

104. Proxies and voting papers confined to one meeting. Duty may be denoted by adhesive stamp. Penalty for executing, &c. not duly stamped, 50*l.*, and vote void. May not be stamped after execution.

105. Power relating to Government stocks—how to be charged.

106. Order to pay dividends not power of attorney.

As to Mortgages, &c.

107. Interpretation of term.

108. Security for stock,—how to be charged.

109. Security for future advances, how to be charged. Proviso.

110. Security for repayment by periodical payments, how to be charged.

111. As to transfers and further charges.

112. As to copyholds.

113. As to mortgage with conveyance of equity of redemption.

114. Exemption from stamp duty in favour of benefit building societies restricted.

115. Interpretation of term "Foreign security."

116. Penalty for issuing, &c. any foreign security not duly stamped. 20*l.*

117. Foreign securities may be stamped without penalty.

As to Notarial Acts.

118. Duty may be denoted by adhesive stamp.

As to Policies of Insurance.

119. Interpretation of terms.

120. Penalty for not making out policy; or making, &c. any policy not duly stamped. 50*l.* On the managing director, &c.

121. Duty may be denoted by adhesive stamp. Penalty on the company and directors, &c., 50*l.*

Clauses.

As to Receipts.

122. Interpretation of term.
123. Duty may be denoted by adhesive stamp.
124. Terms upon which receipts may be stamped after execution.
125. Penalty for offences.

As to Settlements.

126. Cases in which ad valorem duty is chargeable.
127. As to settlement of policy or security. Proviso as to policies.
128. Settlements when not to be charged as securities.
129. Where several instruments one only to be charged with ad valorem duty.

As to Share Warrants.

130. Penalty for issuing share warrant not duly stamped, 50*l.*

As to Transfers of Shares in Cost Book Mines.

131. Duty may be denoted by adhesive stamp. Penalty for signing, &c., 20*l.*

Schedule.

Clauses and Heads of Charge.	References to the existing Law.
Clause 5 - -	55 Geo. 3. cap. 184., sched., tits. Grant, Lease.
„ 7 - -	1 Ann. stat. 2. cap. 22. sec. 5. 12 Ann. stat. 2. cap. 9. sec. 24.
„ 8 - -	44 Geo. 3. cap. 98. sec. 11. 55 Geo. 3. cap. 184., sched., tits. Conveyance, Bond, Mortgage. 13 & 14 Vict. cap. 97., sched., tit. settlement. 17 & 18 Vict. cap. 83. sec. 16., and many decisions in the courts of law. See Tilsley's Treatise, page 319, et seq.
„ 9 - -	43 Geo. 3. cap. 127. sec. 5 and 6. 48 Geo. 3. cap. 149. sec. 5. 50 Geo. 3. cap. 35. sec. 16. 55 Geo. 3. cap. 184. sec. 10.
„ 10 - -	48 Geo. 3. cap. 149. sec. 22. et seq., applicable only to conveyances on sale, extended by the Bill in a modified form to all cases.
„ 11 - -	27 Vict. cap. 18. sec. 11. 13. as to settlements, made generally applicable.
„ 12 - -	13 & 14 Vict. cap. 97., sched., tits. Conveyance, Mortgage. 27 Vict. cap. 18. sec. 11. 13., settlements made generally applicable.
„ 13 - -	New.
„ 14 - -	55 Geo. 3. cap. 184., sched., tits. Conveyance, Mortgage. 13 & 14 Vict. cap. 97., sched., tit. Settlement, and others.

Clauses and Heads of Charge.	References to the existing Law.
Clause 15 - -	13 & 14 Vict. cap. 97. sec. 12, 13.
„ 16 - -	17 & 18 Vict. cap. 125. sec. 28, 29, (England). 19 & 20 Vict. cap. 102. sec. 34, 35, (Ireland). 31 & 32 Vict. cap. 100. sec. 41, 42, (Scotland).
„ 17 - -	5 Wm. & Mary, cap. 21. and subsequent Acts modified as to criminal proceedings by 17 & 18 Vict. cap. 83. sec. 27.
„ 18, 19, & 20 -	13 & 14 Vict. cap. 97. sec. 14, 15. 16 & 17 Vict. cap. 59. sec. 13. 17 & 18 Vict. cap. 83. sec. 17, 18.
„ 21 - -	5 Geo. 3. cap. 46. sec. 38.
„ 22 - -	5 Wm. & Mary, cap. 21. sec. 11.
„ 24 - -	There is no general enactment on the subject, but several relating to particular instruments which it is not necessary to specify.
„ 25 - -	16 & 17 Vict. cap. 59. sec. 5.
„ 28 - -	13 & 14 Vict. cap. 97. sec. 8.
Admissions generally, and clauses 29 and 30.	5 Geo. 3. cap. 46. sec. 4. 55 Geo. 3. cap. 184., sched., tit. Admission.
Clause 31 - -	5 & 6 Vict. cap. 82. sec. 8.
„ 32 - -	5 & 6 Vict. cap. 79. sec. 22.
Clauses 33 and 34 -	55 Geo. 3. cap. 184., sched., tit. Grant, &c.
Clause 35 - -	3 Geo. 4. cap. 117. sec. 4.

Clauses and Heads of Charge.	References to the existing Law.
Admission to corporation, &c.	55 Geo. 3. cap. 184. 2 & 3 Will. 4. cap. 91. 5 & 6 Will. 4. cap. 76. sec. 22. 1 & 2 Vict. cap. 35. 3 & 4 Vict. cap. 108. sec. 48. 5 & 6 Vict. cap. 82. 9 Vict. cap. 117. 19 & 20 Vict. cap. 81.
Affidavit or statutory declaration.	55 Geo. 3. cap. 184., schedules 1 and 2. 5 Geo. 4. cap. 41. 5 & 6 Will. 4. cap. 62. 4 & 5 Vict. cap. 34. 23 Vict. cap. 15.
Agreement under Highway Acts.	28 & 29 Vict. cap. 96. sec. 30.
Agreement, and clause 36.	23 Vict. cap. 15., sched., tit. Agreement, and sec. 15. 23 & 24 Vict. cap. 111. sec. 12.
Appointment to ecclesiastical benefice, and clause 37.	27 Vict. cap. 18., sched. (C.)
Appointment of a new trustee, &c.	55 Geo. 3. cap. 184., sched., tit. Appointment in execution, &c.
Appraisement, and clause 38.	46 Geo. 3. cap. 43. secs. 8 and 9. 28 & 29 Vict. c. 96. sec. 2.
Apprenticeship, and clauses 39 and 40.	8 Ann. cap. 9. secs. 35 and 39. 55 Geo. 3. cap. 184., sched., tit. Apprenticeship. 16 & 17 Vict. cap. 59., sched.
Articles of clerkship -	55 Geo. 3. cap. 184., sched., tit. Articles. 16 & 17 Vict. cap. 59. sec. 7. 16 & 17 Vict. cap. 63., sched.

Clauses and Heads of Charge.	References to the existing Law.
Clauses 41 and 42 -	1 Wm. 4 cap. 70. sec. 17. 30 & 31 Vict. cap. 96. sec. 23.
Clause 43 - -	19 & 20 Vict. cap. 81. sec. 3.
„ 44 - -	5 & 6 Vict. cap. 82. sec. 8.
Award - - -	28 & 29 Vict. cap. 96. sec. 3.
Bank note, and clauses 45, 46, 47.	55 Geo. 3. cap. 184., sched., Promissory Note, and sec. 11, 14, 15. 17 & 18 Vict. cap. 83. sec. 11, 12.
Bill of exchange and promissory note, and clauses 48 to 57.	55 Geo. 3. cap. 184. sec. 11. 16 & 17 Vict. cap. 59. sec. 3. and sched. 17 & 18 Vict. cap. 83. sec. 3, 4, 5, 6, and sched. 21 Vict. cap. 20. 23 Vict. cap. 15. sec. 12, 13, and sched. 23 & 24 Vict. cap. 111. sec. 5, 17, 18, and sched. 24 & 25 Vict. cap. 21. sched. (B.) 27 & 28 Vict. cap. 56. sec. 2.
Bill of lading, and clause 58.	5 & 6 Vict. cap. 79. sec. 21. and sched. 5 & 6 Vict. cap. 82. sec. 34. and sched.
Bill of sale, and clause 59.	24 & 25 Vict. cap. 91. sec. 34.
Bond &c. (annuity) -	13 & 14 Vict. cap. 97., sched., tits. Bond, and Covenant.
Bond as to Customs, and clause 60.	6 Geo. 4. cap. 41 sec. 4. 13 & 14 Vict. cap. 97.
Bonds generally -	55 Geo. 3. cap. 184., sched. 13 & 14 Vict. cap. 97., sched.

Clauses and Heads of Charge.	References to the existing Law.
Certificates of attorneys and others, clauses 61 to 66.	16 & 17 Vict. cap. 63., sched. 25 Geo. 3. cap. 80. 37 Geo. 3. cap. 90. 39 & 40 Geo. 3. cap. 72. 44 Geo. 3. cap. 98. sec. 14. 54 Geo. 3. cap. 144. 9 Geo. 4. cap. 49., and the Acts mentioned in clause 64.
Certificates of goods, &c.	55 Geo. 3. cap. 184., sched.
Certificate of registration of design, and clause 67.	6 & 7 Vict. cap. 65. 6 & 7 Vict. cap. 72. sec. 3.
Charter of resignation, &c.	13 & 14 Vict. cap. 97., sched.
Charter party, clauses 68, 69, 70.	28 & 29 Vict. cap. 96. sec. 7.
Commissions, Army and Navy, Inland Revenue, Lunacy.	55 Geo. 3. cap. 184.
Contract Note, and Clause 71.	23 & 24 Vict. cap. 111., sched., and sec. 7.
Conveyance or transfer, Sched. (1), (2), (3).	(1) & (2) 55 Geo. 3. cap. 184. (3) 31 & 32 Vict. cap. 124. sec. 12.
On sale, and clauses 72 to 79.	55 Geo. 3. cap. 184., sched. 13 & 14 Vict. cap. 97., sched. 16 & 17 Vict. cap. 59., sec. 10, 11. 17 & 18 Vict. cap. 83., sched., and sec. 16. 28 & 29 Vict. cap. 96. sec. 1.
Of any other kind, and clause 80.	55 Geo. 3. cap. 184., sched.

Clauses and Heads of Charge.	References to the existing Law.
Copy or extract attested, and clause 81.	55 Geo. 3. cap. 184., sched. 8 & 9 Vict. cap. 76. sec. 2. (Ireland).
Certified, and clause 82	23 Vict. cap. 15., sched. 23 & 24 Vict. cap. 111., sec. 16.
Copyhold and clauses 83–88	48 Geo. 3. cap. 149. sec. 30 et seq. 55 Geo. 3. cap. 184., sched. 13 & 14 Vict. cap. 97., sched. 17 & 18 Vict. cap. 83., sched.
Covenant (separate) -	13 & 14 Vict. cap. 97., sched.
Debenture for drawback.	16 & 17 Vict. cap. 59., sched.
Declaration of use, &c.	55 Geo. 3. cap. 184., sched.
Deed (general) -	55 Geo. 3. cap. 184., sched.
Delivery order, and clauses 89, 91, 92, 93.	23 Vict. cap. 15., sched., and sec. 8, 9, 10. 23 & 24 Vict. cap. 111. sec. 13 and 14.
Deputation of gamekeeper.	55 Geo. 3. cap. 184., sched.
Disposition, Scotland (general).	55 Geo. 3. cap. 184., sched.
Docket - -	55 Geo. 3. cap. 184., sched.
Duplicate or counterpart and clause 95.	13 & 14 Vict. cap. 97., sched. 16 & 17 Vict. cap. 59. sec. 12. 24 & 25 Vict. cap. 91. sec. 31.
Exchange, and clause 96.	55 Geo. 3. cap. 184., sched.
Exemplification -	55 Geo. 3. cap. 184., sched.
Faculty - -	55 Geo. 3. cap. 184., sched.

Clauses and Heads of Charge.	References to the existing Law.
Grant and clause 97 -	55 Geo. 3. cap. 184., sched.
Lease or tack, and clauses 98–102.	13 & 14 Vict. cap. 97. sched. 17 & 18 Vict. cap. 83., sched., and sec. 23. 23 Vict. cap. 15., sched. 24 & 25 Vict. cap. 21., sched. (B.), and sec. 14, 15. 28 & 29 Vict. cap. 96. sec. 5.
Letter of allotment, &c., and clause 103.	30 & 31 Vict. cap. 90. sec. 20.
Letter of attorney, &c., and clauses 104, 105, and 106.	55 Geo. 3. cap. 184., sched. 7 Vict. cap. 21., sched. 19 & 20 Vict. cap. 81. sec. 2. 23 Vict. cap. 15., sched. 24 & 25 Vict. cap. 91. sec. 26, 27. 27 & 28 Vict. cap. 56. sec. 3. 27 & 28 Vict. cap. 90.
Licence for marriage -	55 Geo. 3. cap. 184., sched. 5 & 6 Vict. cap. 82. sec. 4., Ireland.
Licence, ecclesiastical	55 Geo. 3. cap. 184., sched. 28 & 29 Vict. cap. 96. sec. 4.
Memorial - -	13 & 14 Vict. cap. 97., sched.
Mortgage, &c., and clauses 107–117.	55 Geo. 3. cap. 184., sched. 13 & 14 Vict. cap. 97. sched. 28 & 29 Vict. cap. 96. sec. 17. } (Transfer.) 30 & 31 Vict. cap. 90. sec. 23. } 25 Vict. cap. 22., sched., and sec. 38. } Foreign Security. 31 & 32 Vict. cap. 124. sec. 10. }
Notarial Act, and clause 118.	24 & 25 Vict. cap. 91. sec. 25.
Passport - -	21 Vict. cap. 24.

Clauses and Heads of Charge.	References to the existing Law.
Policy, and clauses 119, 120, 121.	Life, 16 & 17 Vict. cap. 59., sched., and sec. 6. 16 & 17 Vict. cap. 63. sec. 10, 11. 23 & 24 Vict. cap. 111. sec. 10. General, 28 & 29 Vict. cap. 96. sec. 10. 28 Vict. cap. 30., sched. And see 10 Ann. cap. 26. sec. 71.
Precept of clare constat.	13 & 14 Vict. cap. 97., sched.
Procuration - -	55 Geo. 3. cap. 184., sched.
Protest - -	24 & 25 Vict. cap. 91. sec. 25.
Receipt and clauses 122–125.	35 Geo. 3. cap. 55. 43 Geo. 3. cap. 126. 16 & 17 Vict. cap. 59., sched. 17 & 18 Vict. cap. 83. sec. 14. 28 & 29 Vict. cap. 96. sec. 16.
Release or renunciation.	55 Geo. 3. cap. 184., sched.
Resignation, Scotland	13 & 14 Vict. cap. 97., sched.
Revocation - -	55 Geo. 3. cap. 184., sched.
Schedule - -	13 & 14 Vict. cap. 97., sched. 17 & 18 Vict. cap. 83. sec. 22.
Seisin, Scotland -	13 & 14 Vict. cap. 97., sched.
Settlement, and clauses 126–129.	55 Geo. 3. cap. 184., sched. 13 & 14 Vict. cap. 97., sched. 27 Vict. cap. 18. sec. 11, 12, 13.
Share warrant, and clause 130.	30 & 31 Vict. cap. 131. sec. 33.
Surrender - -	55 Geo. 3. cap. 184., sched. 13 & 14 Vict. cap. 97., sched., tit. Lease.

Clauses and Heads of Charge.	References to the existing Law.
Transfer, cost book mines, and clause 131.	23 Vict. cap. 15., sched.
Voting paper, and clause 104.	27 Vict. cap. 18., sched.
Warrant of attorney -	13 & 14 Vict. cap. 97., sched.
Warrant for goods, and clauses 90, 91, 94.	23 Vict. cap. 15., sched., tit. Dock Warrant. 23 & 24 Vict. cap. 111. sec. 15., and see Delivery Order.
Warrant under sign manual.	55 Geo. 3. cap. 184., sched.
Writ, Scotland -	16 & 17 Vict. cap. 63. sec. 6., and the Acts referred to in the schedule under the head.
General exemptions -	(1.) 55 Geo. 3. cap. 184., sched. (2.) 6 Geo. 4. cap. 41. sec. 1. (3.) 17 & 18 Vict. cap. 83. sec. 21. (4.) 23 Vict. cap. 15. sec. 7. (5.) 5 Geo. 4. cap. 41. sec. 1. (6.) 55 Geo. 3. cap. 184., tit. Commission.

A

B I L L

FOR

Granting certain Stamp Duties in lieu of Duties of the same kind now payable under various Acts, and consolidating and amending Provisions relating thereto. A.D. 1870.

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal subjects, the Commons of the United Kingdom of Great Britain and Ireland, in Parliament assembled, towards raising the necessary supplies to defray Your Majesty's public expenses, and making an addition to the public revenue, have freely and voluntarily resolved to give and grant unto Your Majesty the several duties herein-after mentioned; and do therefore most humbly beseech Your Majesty that it may be enacted:

And be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title, and commencement of Act.

1. This Act may be cited as "The Stamp Act, 1870," and shall come into operation on the *first day of January one thousand eight hundred and seventy-one*, which date is herein-after referred to as the commencement of this Act.

Interpretation of terms.

2. In the construction, and for the purposes, of this Act the following words have the meanings by this section assigned to them, unless it is otherwise provided, or there be something in the context repugnant thereto:

(1.) "The Commissioners" means the Commissioners of Inland Revenue:

(2.) "Material" means and includes every sort of material upon which words or figures can be expressed:

(3.) "Write," "written," and "writing," include every mode in which words or figures can be expressed upon material:

A.D. 1870.

(4.) "Instrument" means and includes every written document:

(5.) "Stamp" means as well a stamp impressed by means of a die, as an adhesive stamp:

(6.) "Stamped," with reference to instruments and material, applies as well to instruments and material impressed with stamps by means of a die, as to instruments and material having adhesive stamps affixed thereto:

(7.) "Executed" and "Execution," with reference to instruments not under seal, mean signed and signature:

(8.) "Money" includes all sums expressed in British, or in any foreign or colonial currency:

(9.) "Stock" means and includes any share in any stocks or funds transferable at the Bank of England or at the Bank of Ireland, and India promissory notes, and any share in the stocks or funds of any foreign or colonial state or government, or in the capital stock or funded debt of any company, corporation, or society in the United Kingdom, or of any foreign or colonial company, corporation, or society:

(10.) "Marketable security" means a security of such a description as to be capable of being sold in any stock market in the United Kingdom:

(11.) "Person" includes company, corporation, and society.

Grant of duties in schedule.

3. From and after the *commencement of this Act*, and subject to the exemptions contained in the schedule to this Act, and in any other Acts for the time being in force, there shall be charged for the use of Her Majesty, her heirs and successors, upon the several instruments specified in the schedule to this Act, the several duties in the said schedule specified, and no other duties.

As to instruments charged with the duty of 35*s*.

4. Any instrument which by any Act heretofore passed, and not relating to stamp duties, is specifically charged with the duty of thirty-five shillings, shall, from and after the commencement of this Act, be chargeable only with the duty of *ten shillings*, in lieu of the said duty of thirty-five shillings.

As to instruments relating to property belonging to the Crown.

5. The seventy-seventh section of the Act of the tenth year of King George the Fourth, chapter fifty, is hereby repealed, and except where express provision to the contrary is made by this or any other Act, an instrument relating to property belonging to the Crown, or being the private property of the Sovereign, is to be charged with the same duty as an instrument of the same kind relating to property belonging to a subject.

6. (1.) All stamp duties which may from time to time be chargeable by law upon any instruments, are to be paid and denoted according to the general and special regulations in this Act contained. All duties to be paid according to the regulations of this Act, and the schedule to be read as part of this Act.

(2.) The said schedule, and everything therein contained, is to be read and construed as part of this Act.

General Regulations.

7. (1.) Every instrument written upon stamped material is to be written in such manner, and every instrument partly or wholly written before being stamped is to be so stamped, that the stamp may appear on the face of the instrument, and cannot be used for or applied to any other instrument written upon the same piece of material. How instruments are to be written and stamped.

(2.) If more than one instrument be written upon the same piece of material, every one of such instruments is to be separately and distinctly stamped with the duty with which it is chargeable.

8. Except where express provision to the contrary is made by this or any other Act, an instrument having several distinct operations, or containing or relating to several distinct matters, or made for several distinct considerations, is to be separately and distinctly charged, as if it were a separate instrument, with duty, in respect of each of such operations, matters, and considerations. Instruments to be separately charged with duty in respect of several distinct matters, &c.

9. (1.) A stamp, which by any word or words on the face of it is appropriated to any particular description of instrument, is not to be used, or, if used, is not to be available, for an instrument of any other description. As to the use of appropriated stamps.

(2.) An instrument falling under the particular description to which any stamp is so appropriated as aforesaid is not to be deemed duly stamped, unless it is stamped with the stamp so appropriated.

10. All the facts and circumstances affecting the liability of any instrument to duty, or the amount of the duty with which any instrument is chargeable, are to be fully and truly set forth in the instrument, and every person who, with intent to defraud Her Majesty, or her heirs or successors, of any duty, Facts and circumstances affecting duty to be set forth in instruments.

(1.) Executes any instrument in which all the said facts and circumstances are not fully and truly set forth:

(2.) Being employed or concerned in or about the preparation of any instrument, neglects or omits fully and truly to set forth therein all the said facts and circumstances:

Shall forfeit the sum of *fifty pounds*. Penalty, 50*l*.

A.D. 1870.

Money in foreign or colonial currency to be valued.

11. Where an instrument is chargeable with ad valorem duty in respect of any money in any foreign or colonial currency, such duty shall be calculated on the value of such money in British currency, according to the current rate of exchange on the day of the date of the instrument.

Stock and marketable securities to be valued.

12. Where an instrument is chargeable with ad valorem duty in respect of any stock, or of any marketable security, such duty shall be calculated on the value of such stock or security, according to the average price thereof on the day of the date of the instrument.

Effect of statement, or absence of statement of value.

13. Where an instrument contains a statement of current rate of exchange, or average price, as the case may require, and is stamped in accordance with such statement, it is, so far as regards the subject matter of such statement, to be deemed duly stamped, unless or until it is shown that such statement is untrue, and that the instrument is in fact insufficiently stamped; but if an instrument does not contain any statement of current rate of exchange, or average price, as the case may require, then it is not on any occasion, or for any purpose, to be deemed duly stamped, unless or until it is otherwise shown that the stamp thereon is sufficient to cover the full value of the money, stock, or security in respect whereof it is chargeable with ad valorem duty, as well as any other duty with which it is chargeable.

As to denoting stamp.

14. Where the duty with which an instrument is chargeable depends in any manner upon the duty paid upon another instrument, the payment of such last-mentioned duty may, on application to the commissioners for that purpose, and on production of both the instruments, be denoted in such manner as the commissioners think fit upon such first-mentioned instrument.

Terms upon which instruments may be stamped after execution.

15. (1.) Except where express provision to the contrary is made by this or any other Act, any unstamped or insufficiently stamped instrument may be stamped after the execution thereof, on payment of the unpaid duty and a penalty of *ten pounds*, and also by way of further penalty, where the unpaid duty exceeds *ten pounds*, of interest on such duty, at the rate of *five pounds* per centum per annum, from the day upon which the instrument was first executed up to the time when such interest is equal in amount to the unpaid duty.

And the payment of any penalty or penalties is to be denoted on the instrument by a particular stamp.

Proviso.

(2.) Provided as follows:

As to instruments executed abroad.

(a.) Any unstamped or insufficiently stamped instrument, which has been first executed at any place out of the United

Kingdom, may be stamped, at any time within *fourteen days* after it has been first received in the United Kingdom, on payment of the unpaid duty only:

As to the remission of penalties.

(b.) The commissioners may, if they think fit, at any time within twelve months after the first execution of any instrument, remit the penalty or penalties, or any part thereof.

Terms upon which unstamped or insufficiently stamped instruments may be received in evidence in any court.

16. (1.) Upon the production of an instrument chargeable with any duty as evidence in any court of civil judicature in any part of the United Kingdom, the officer, whose duty it is to read the instrument, shall call the attention of the judge to any omission or insufficiency of the stamp thereon, and if the instrument is one which may legally be stamped after the execution thereof, it may, on payment to the officer of the amount of the unpaid duty, and *twice* the amount of the penalty payable by law on stamping the same as aforesaid, and of a further sum of one pound, be received in evidence, saving all just exceptions on other grounds.

The officer of the court to account for duties and penalties.

(2.) The officer receiving the said duty and penalty shall give a receipt for the same, and make an entry in a book kept for that purpose of the payment and of the amount thereof, and shall communicate to the commissioners the name or title of the cause or proceeding in which, and of the party from whom, he received the said duty and penalty, and the date and description of the instrument, and shall pay over to the Receiver General of Inland Revenue, or to such other person as the commissioners may appoint, the money received by him for the said duty and penalty.

(3.) Upon production to the commissioners of any instrument in respect of which any duty or penalty has been paid as aforesaid, together with the receipt of the said officer, the payment of such duty and penalty shall be denoted on such instrument accordingly.

Instrument not duly stamped inadmissible.

17. Save and except as aforesaid, no instrument executed in any part of the United Kingdom, or relating, wheresoever executed, to any property situate, or to any matter or thing done or to be done, in any part of the United Kingdom, shall, except in criminal proceedings, be pleaded or admitted in evidence, or available for any purpose, or upon any occasion whatsoever, unless it is duly stamped in accordance with the law in force at the time when it was first executed.

The Commissioners may be

18. (1.) Subject to such regulations as the commissioners may think fit to make, the commissioners may be required by any person

A.D. 1870.

required to express their opinion as to duty.

to express their opinion with reference to any executed instrument upon the following questions :—

(*a.*) Whether it is chargeable with any duty.

(*b.*) With what amount of duty it is chargeable.

Mode and effect of proceeding.

(2.) If the commissioners are of opinion that the instrument is not chargeable with any duty, such instrument may be stamped with a particular stamp denoting that it is not chargeable with any duty.

(3.) If the commissioners are of opinion that the instrument is chargeable with duty, they shall assess the duty with which it is in their opinion chargeable, and if or when the instrument is duly stamped in accordance with the assessment of the commissioners, it may be also stamped with a particular stamp denoting that it is duly stamped.

(4.) Every instrument stamped with the particular stamp, denoting either that it is not chargeable with any duty, or is duly stamped, shall be admissible in evidence, and available for all purposes notwithstanding any objection relating to duty.

Provisoes.

(5.) Provided as follows :—

(*a.*) An instrument upon which the duty has been assessed by the commissioners shall not, if it is unstamped, or insufficiently stamped, be stamped otherwise than in accordance with the assessment of the commissioners :

(*b.*) Nothing in this section contained extends to any instrument chargeable with duty, and made as a security for money or stock without limit :

(*c.*) Nothing in this section contained shall be deemed to authorize the stamping after the execution thereof of any instrument prohibited by law from being so stamped.

Person dissatisfied may appeal.

19. (1.) Any person, who is dissatisfied with the assessment of the commissioners made in pursuance of the last preceding section, may, within twenty-one days after the date of such assessment, and on payment of duty in conformity therewith, appeal against such assessment to Her Majesty's Court of Exchequer in England, Scotland, or Ireland, according to the country in which the case has arisen, and may for that purpose require the commissioners to state and sign a case, setting forth the question upon which their opinion was required, and the assessment made by them.

Mode of proceeding.

(2.) The commissioners shall thereupon state and sign a case accordingly, and deliver the same to the person by whom it is required, and on his application such case may be set down for hearing in the proper court.

A.D. 1870

(3.) Upon the hearing of such case (due notice of which is to be given to the commissioners) the court shall determine the question submitted, and if the instrument in question is in the opinion of the court chargeable with any duty, shall assess the duty with which it is so chargeable.

(4.) If it is decided by the court that the assessment of the commissioners is erroneous, any excess of duty which may have been paid in conformity with such erroneous assessment, together with any penalty which may have been paid in consequence thereof, shall be ordered by the court to be repaid by the commissioners to the appellant, together with the costs incurred by him in relation to the appeal.

(5.) But if the assessment of the commissioners is confirmed by the court, the costs incurred by the commissioners in relation to the appeal shall be ordered by the court to be paid by the appellant to the commissioners.

The commissioners may call for and refuse to proceed without evidence.

20. (1.) In any case of application to the commissioners with reference to any instrument, the commissioners may require to be furnished with an abstract of the instrument, and also with such evidence as they may deem necessary, in order to show to their satisfaction whether all the facts and circumstances affecting the liability of the instrument to duty, or the amount of the duty chargeable thereon, are fully and truly set forth therein, and may refuse to proceed upon any such application until such abstract and evidence has been furnished accordingly.

Proviso.

(2.) Provided that no affidavit or statutory declaration, made in pursuance of this section, shall be used against any person making the same in any proceeding whatever, except in an inquiry as to the duty with which the instrument to which it relates is chargeable, and every person by whom any such affidavit or declaration is made shall, on payment of the full duty with which the instrument to which it relates is chargeable, be relieved from any penalty, forfeiture, or disability he may have incurred by reason of the omission to state truly in such instrument any of the facts or circumstances aforesaid.

Rolls, books &c. to be open to inspection.

21. (1.) All persons having in their custody any rolls, books, records, papers, documents, or proceedings, the inspection whereof may tend to secure any duty, or to the proof or discovery of any fraud or omission in relation to any duty, shall at all seasonable times permit any person thereunto authorized by the commissioners to inspect all such rolls, books, records, papers, documents, and

A.D. 1870.

proceedings, and to take such notes and extracts as he may deem necessary, without fee or reward.

Penalty for refusal, 50*l.*

(2.) Every person who refuses to permit such inspection shall, for every such refusal, forfeit the sum of *fifty pounds*.

Penalty for enrolling, &c. any instrument not duly stamped, 50*l.*

22. If the steward of any manor, or any person whose office it is to enrol, register, or enter in or upon any rolls, books, or records any instrument chargeable with any duty enrols, registers, or enters any such instrument not being duly stamped he shall forfeit the sum of *fifty pounds*.

How duties to be denoted.

23. Except where express provision is made to the contrary, all duties are to be denoted by impressed stamps only.

General direction as to the cancellation of adhesive stamps.

24. (1.) An instrument, the duty upon which is required, or permitted by law, to be denoted by an adhesive stamp, is not to be deemed duly stamped with an adhesive stamp, unless every person required by law to cancel such adhesive stamp cancels the same by writing on or across the stamp his name or initials, or the name or initials of his firm, together with the true date of his so writing, so that the stamp may be appropriated to the instrument, and effectually cancelled, and rendered incapable of being used for any other instrument.

Penalty for neglect or refusal, 50*l.*

(2.) Every person who, being required by law to cancel an adhesive stamp, wilfully neglects or refuses duly and effectually to do so in manner aforesaid, shall forfeit the sum of *fifty pounds*.

Penalty for frauds in relation to adhesive stamps.

25. Any person who—

(1.) Fraudulently removes, or causes to be removed, from any instrument any adhesive stamp, or affixes any adhesive stamp, which has been so removed, to any other instrument with intent that such stamp may be used again,

(2.) Sells, or offers for sale, or utters, any adhesive stamp which has been so removed, or utters any instrument having thereon any adhesive stamp which has to his knowledge been so removed as aforesaid,

(3.) Practises, or is concerned in, any fraudulent act, contrivance, or device not specially provided for, with intent to defraud Her Majesty, her heirs or successors, of any duty,

Or to any duty, 50*l.*

Shall forfeit, over and above any other penalty to which he may be liable, the sum of *fifty pounds*.

Recovery of penalties.

26. Penalties incurred under this Act are to be sued for, recovered, and levied according to the provisions of "The Inland Revenue Proceedings Act, 1870."

A.D. 1870.

Affidavits and declarations how to be made.

27. Any affidavit or declaration, to be made in pursuance or for the purposes of this Act, may be made before any of the commissioners, or any officer or person authorized by them in that behalf, or before a person appointed to administer oaths in the Court of Chancery in England or Ireland, or before any person commissioned to take affidavits by the Court of Session in Scotland, or before any justice of the peace in any part of the United Kingdom, or, at any place out of the United Kingdom, before any person duly authorized to administer oaths there.

Moneys received and not appropriated, to be recoverable in Court of Exchequer.

28. (1.) Every person who, having received any sum of money as or for the duty upon or in respect of any instrument, neglects or omits to appropriate such money to the due payment of such duty, or otherwise improperly withholds or detains the same, shall be accountable for the amount of such duty, and the same shall be a debt from him to Her Majesty, Her heirs or successors, and recoverable as such accordingly.

(2.) The Court of Exchequer in England, Scotland, or Ireland, may, upon application to be made for that purpose on behalf of the commissioners, upon such affidavit as may appear sufficient, grant a rule, requiring any such person as aforesaid, or the officer of any court, or the executor or administrator of such person or officer, to show cause why he should not deliver to the commissioners an account upon oath of all duties and sums of money received by such person or officer, and why the same should not be forthwith paid to the Receiver-General of Inland Revenue, or to such other person as the commissioners may appoint to receive the same; and the court may make absolute any such rule, and enforce by attachment or otherwise the payment of any such duties or sums of money as on such proceedings may appear to be due, together with the costs of the proceedings.

Special Regulations.

As to Admissions generally.

Duty, how to be denoted.

29. The duty payable upon an admission is to be denoted on the instrument of admission delivered to the person admitted, if there be any such instrument, or if not, on the register, entry, or memorandum of the admission in the rolls, books or records of the court, inn, college, borough, burgh, company, corporation, guild, or society in which the admission is made, and in cases in

A.D. 1870.

which no instrument of admission is delivered, and no register, entry, or memorandum is made, on the rescript or warrant for admission.

Penalty on officers for neglect or refusal to prepare or make duly stamped documents or entries;

30. If any person whose office it is to prepare or deliver out any instrument of admission chargeable with any duty, or to register, enter, or make any memorandum of any admission in respect of which no instrument of admission is delivered to the person admitted, neglects or refuses, within one month after the admission, to prepare a duly stamped instrument of admission, or to make a proper and duly stamped register, entry, or memorandum of the admission, as the case may require, he shall forfeit the sum of *fifty pounds*.

50*l.*

As to Admissions to the Degree of a Barrister-at-Law in Ireland, and of Students to the Society of King's Inns, Dublin.

Distinct accounts to be kept of certain sums payable to King's Inns, Dublin.

31. Distinct accounts are to be kept of the sums following; that is to say:—

(1.) *Ten pounds*, part of the duty of fifty pounds payable on the admission to the degree of a barrister-at-law in Ireland of a person not previously admitted to that degree in England:

(2.) *Ten pounds*, payable for duty on the like admission of a person who has been previously admitted to the said degree in England:

(3.) *Ten pounds*, part of the duty payable on the admission of a student into the Society of King's Inns, Dublin.

And the said sums are respectively to be paid over by the Receiver-General of Inland Revenue to the treasurer of the Society of King's Inns, Dublin, to be applied by him according to the directions of the said society.

As to admission as a student of King's Inns, Dublin, of a member of Inns of Court in England.

32. If any person, who has been duly admitted a member of one of the Inns of court in England, is afterwards duly admitted a student of the Society of King's Inns in Dublin, the duty paid by him in respect of his former admission is, on application made within six months after the last admission, to be allowed and returned to him.

As to Admissions or Appointments to and Grants of Offices or Employments.

Fees and emoluments how to be estimated.

33. The fees and emoluments appertaining to any office or employment are, when practicable, to be estimated according to the average amount thereof for *three* years preceding the date of the

admission, appointment, or grant, and in other cases according to the best information that can be obtained. A.D. 1870.

Re-appointments not chargeable with duty,

34. Where any office or employment is granted anew to any person upon the revocation of any former grant thereof or appointment thereto, in respect of which the proper duty has been paid, no duty is to be charged on the grant or appointment by way of renewal, unless the salary, fees, and emoluments of the office or employment are in any manner augmented; and in that case duty is to be charged on such last-mentioned grant or appointment in proportion to the amount of the augmentation only.

except for augmentation.

No duty on promotion in the Customs except for augmentation.

35. Upon the promotion of any person from any office or employment in Her Majesty's Customs, in respect of which he has paid the proper duty, to any other office or employment therein, the appointment of such person to the office or employment to which he is so promoted is to be charged with duty in respect only of any augmentation in his salary, fees, and emoluments.

As to Agreements.

Duty may be denoted by adhesive stamp.

36. The duty of sixpence upon an agreement may be denoted by an adhesive stamp, which is to be cancelled by every person by whom the agreement is executed.

Provided that if there are more than two parties to the agreement, and there is a duplicate or counterpart thereof, it shall be sufficient if the stamp on each copy or part is cancelled by one person.

As to Appointments, &c. to Ecclesiatical Benefices, &c.

Net yearly value, how to be ascertained and determined.

37. The net yearly value of an ecclesiastical benefice, dignity, or promotion, or of a perpetual curacy, whether the emoluments thereof consist of money or of produce, or partly of money and partly of produce, is to be ascertained and determined as follows:—

(1.) In England, by the certificate of the Ecclesiastical Commissioners for England to be written on the instrument charged with duty:

(2.) In any other case, where it is practicable, according to the average amount of the emoluments for *three* years preceding, and where it is not practicable to arrive at such average, according to the best information that can be obtained.

Provided that two or more benefices, or a benefice and any ecclesiastical dignity or promotion episcopally or permanently united, shall be deemed one benefice only.

A.D. 1870.

As to Appraisements.

Appraisements to be written out.

38. (1.) Every appraiser, by whom an appraisement or valuation is made, shall, within fourteen days after the making thereof, write out the same, in words and figures showing the full amount thereof, upon duly stamped material, and if he neglects or omits so to do, or in any other manner delivers out, or states the amount of, any such appraisement or valuation, shall forfeit the sum of *fifty pounds*.

Penalty on the appraiser, 50*l.*

On other offenders, 20*l.*

(2.) Any person who receives from any appraiser, or pays for the making of, any appraisement or valuation, unless the same be written out and stamped as aforesaid, shall forfeit the sum of *twenty pounds*.

As to Instruments of Apprenticeship.

Interpretation of term.

39. Every writing relating to the service or tuition of any apprentice, clerk, or servant placed with any master to learn any profession, trade, or employment, (except articles of clerkship to attorneys and others, hereby specifically charged with duty,) is to be deemed an instrument of apprenticeship.

Premium or consideration to be set out in writing.

40. The full sum of money, and the value of any other matter or thing paid, given, or assigned, or secured to be paid, given, or assigned, to or for the benefit of the master, with or in respect of any apprentice, clerk, or servant (not being a person bound to serve in order to admission in any court) is to be fully and truly set forth in an instrument of apprenticeship; and if any such sum, or other matter or thing, be paid, given, assigned, or secured as aforesaid, and no such instrument be made, or if any such instrument be made, and such sum, or the value of such other matter or thing, be not set forth therein as aforesaid, the master, and also the apprentice himself, if of full age, and any other person, being a party to the contract, or by whom any such sum, or other matter or thing, is paid, given, assigned, or secured shall forfeit the sum of twenty pounds; and the contract, and the instrument (if any) containing the same, shall be null and void.

Penalty, 20*l.*, and the contract to be void.

As to original Articles of Clerkship.

Articles in England not to be charged with more than one duty of 80*l.*

41. (1.) Where the same articles are a qualification for the admission of any person, not only as an attorney or solicitor in any of Her Majesty's courts at Westminster, but also as an attorney or solicitor in any of the courts of the counties palatine of Lan-

caster and Durham, such articles are not to be charged with more than one duty of *eighty pounds*. A.D. 1870.

(2.) Where any person has become bound by duly stamped articles in order to his admission as an attorney or solicitor in any of the courts of the counties palatine of Lancaster and Durham, such articles shall, on payment of such further amount of duty as, together with the amount of duty previously paid thereon, will make up the sum of *eighty pounds*, be impressed with a stamp denoting the payment of such further duty, and shall thereupon be considered to be sufficiently stamped for the purpose of entitling such person to admission in any of the courts at Westminster. And in certain cases may be stamped with additional duty.

42. (1.) Where the same articles are a qualification for the admission of any person, not only as a writer to the signet, or as a solicitor, agent, or attorney in any of the courts of session, justiciary, or commission of teinds, but also as a procurator or solicitor in any inferior court in Scotland, such articles are not to be charged with more than one duty of *sixty pounds*. Articles in Scotland not to be charged with more than one duty of 60*l*.

(2.) Where any person has become bound by duly stamped articles in order to his admission as a procurator or solicitor in any inferior court in Scotland, such articles shall, on payment of such further amount of duty as, together with the amount previously paid thereon, will make up the sum of *sixty pounds*, be impressed with a stamp denoting the payment of such further duty, and shall thereupon be considered to be sufficiently stamped for entitling such person to admission as a writer to the signet, or as a solicitor, agent, or attorney in the court of session, justiciary, or commission of teinds. And in certain cases may be stamped with additional duty.

43. Save as herein-before provided, articles of clerkship are not to be stamped at any time after the expiration of six months from the date thereof, except upon payment of penalties, as follows: Terms upon which articles may be stamped after execution.

(1.) If brought to be stamped within one year after date, *ten pounds*:

(2.) If so brought after one year, and within five years after date—

For every complete year, and also for any additional part of a year elapsed since the date, *ten pounds*:

(3.) In every other case, *fifty pounds*.

44. The sum of *fourteen pounds*, part of the duty payable on articles of clerkship in Ireland, shall be carried to a separate Distinct account to be kept of 14*l*. pay-

A.D. 1870.

able to King's Inns, Dublin.

account, and paid over by the receiver-general of inland revenue to the treasurer of the society of King's Inns, Dublin, to be applied by him according to the directions of the said society.

As to Bank Notes, Bills of Exchange, and Promissory Notes.

Interpretation of terms.

45. The term "Banker" means and includes any corporation, society, partnership, and persons, and every individual person carrying on the business of banking in the United Kingdom.

The term "Bank note" means and includes—

(1.) Any bill of exchange or promissory note issued by any banker, other than the Governor and Company of the Bank of England, for the payment of money not exceeding one hundred pounds to the bearer on demand:

(2.) Any bill of exchange or promissory note so issued, which entitles or is intended to entitle the bearer or holder thereof, without indorsement, or without any further or other indorsement than may be thereon at the time of the issuing thereof, to the payment of money not exceeding one hundred pounds on demand, whether the same be so expressed or not, and in whatever form, and by whomsoever such bill or note is drawn or made.

Bank notes may be re-issued.

46. A bank note issued duly stamped, or issued unstamped by a banker duly licensed or otherwise authorized to issue unstamped bank notes, may be from time to time re-issued without being liable to any stamp duty by reason of such re-issuing.

Penalty for issuing an unstamped bank note, 50*l.*

for receiving, 20*l.*

47. (1.) If any banker, not being duly licensed or otherwise authorized to issue unstamped bank notes, issues, or causes or permits to be issued, any bank note not being duly stamped, he shall forfeit the sum of *fifty pounds*.

(2.) If any person receives or takes any such bank note in payment or as a security, knowing the same to have been issued unstamped contrary to law, he shall forfeit the sum of *twenty pounds*.

Interpretation of term "Bill of Exchange."

48. (1.) The term "Bill of Exchange" includes also draft, order, cheque, and letter of credit, and any document or writing (except a bank note) entitling or purporting to entitle any person, whether named therein or not, to payment by any other person of, or to draw upon any other person for, any sum of money therein mentioned.

(2.) An order for the payment of any sum of money by a bill of exchange or promissory note, or for the delivery of any bill of

exchange or promissory note in satisfaction of any sum of money, or for the payment of any sum of money, out of any particular fund which may or may not be available, or upon any condition or contingency which may or may not be performed or happen, is to be deemed for the purposes of this Act a bill of exchange drawn for the said sum of money.

(3.) An order made in the United Kingdom for the payment in the United Kingdom of any sum of money weekly, monthly, or at any other stated periods, and also any order made in the United Kingdom for the payment by any person in the United Kingdom at any time after the date thereof, of any sum of money, and sent or delivered by the person making the same to the person by whom the payment is to be made, and not to the person to whom the payment is to be made, or to any person on his behalf, is to be deemed for the purposes of this Act a bill of exchange for the payment of money on demand.

Interpretation of term "Promissory note."

49. (1.) The term "Promissory note" means and includes any document or writing (except a bank note) containing or importing a promise to pay any sum of money, and also any receipt for money which contains any agreement or memorandum importing that interest is to be paid for the money received.

(2.) A note promising the payment of any sum of money, out of any particular fund, which may or may not be available, or upon any condition or contingency which may or may not be performed or happen, is to be deemed for the purposes of this Act a promissory note for the said sum of money.

Certain bills liable to ad valorem as well as fixed duty.

50. A bill of exchange drawn in the United Kingdom, and payable on demand in the United Kingdom and not elsewhere, is, in the event of its being indorsed out of the United Kingdom, chargeable with the ad valorem duty imposed by this Act on a bill of exchange, in addition to the fixed duty of one penny.

The fixed duty may be denoted by adhesive stamp.

51. The fixed duty of one penny on a bill of exchange for the payment of money on demand may be denoted by an adhesive stamp, which is to be cancelled by the person by whom the bill is signed, before he delivers it out of his hands, custody, or power.

Ad valorem duties to be denoted in certain cases by adhesive stamps.

52. (1.) The ad valorem duties upon the following instruments; that is to say,

(*a.*) Bills of exchange drawn out of the United Kingdom:

(*b.*) Bills of exchange drawn and payable on demand in and indorsed out of the United Kingdom:

(*c.*) Promissory notes made out of the United Kingdom:

are to be denoted by adhesive stamps.

A.D. 1870.

(2.) Every person into whose hands any such bill or note comes in the United Kingdom before it is stamped, shall, before he presents for payment, or indorses, transfers, or in any manner negotiates, or pays such bill or note, affix thereto a proper adhesive stamp or proper adhesive stamps of sufficient amount, and cancel every stamp so affixed thereto.

Provisoes for the protection of bonâ fide holders;

(3.) Provided as follows:—

(*a.*) If, at the time when any such bill or note comes into the hands of any bonâ fide holder thereof, there is affixed thereto an adhesive stamp effectually obliterated, and purporting and appearing to be duly cancelled, such stamp shall, so far as relates to such holder, be deemed to be duly cancelled, although it may not appear to have been so affixed or cancelled by the proper person.

(*b.*) If, at the time when any such bill or note comes into the hands of any bonâ fide holder thereof, there is affixed thereto an adhesive stamp not duly cancelled, it shall be competent for such holder to cancel such stamp, as if he were the person by whom it was affixed, and upon his so doing such bill or note shall be deemed duly stamped, and as valid and available as if the stamp had been duly cancelled by the person by whom it was affixed.

not to relieve any other person.

(4.) But neither of the foregoing provisoes is to relieve any person from any penalty incurred by him for not cancelling any adhesive stamp.

Bills and notes purporting to be drawn, &c. abroad, to be deemed to have been so drawn, &c.

53. A bill of exchange or promissory note, purporting to be drawn, or indorsed, or made out of the United Kingdom, is, for the purposes of this Act, to be deemed to have been so drawn, or indorsed, or made, although it may in fact have been drawn, or indorsed, or made within the United Kingdom.

Terms upon which bills and notes may be stamped after execution.

54. (1.) Where a bill of exchange or promissory note has been written on material bearing an impressed stamp of sufficient amount, but of improper denomination, it may be stamped with the proper stamp, on payment of the duty, and a penalty of *forty shillings*, if the bill or note be not then payable according to its tenor, and of *ten pounds*, if the same be so payable.

(2.) Except as aforesaid, no bill of exchange or promissory note shall be stamped with an impressed stamp after the execution thereof.

Penalty for issuing, &c. any unstamped bill

55. (1.) Every person who issues, indorses, transfers, negotiates, presents for payment, or pays any bill of exchange or promissory

note liable to duty and not being duly stamped, shall forfeit the sum of *fifty pounds;* and the person who takes or receives from any other person any such bill or note not being duly stamped, either in payment, or as a security, or by purchase, or otherwise, shall not be entitled to recover thereon, or to make the same available for any purpose whatever. A.D. 1870. or note, 50*l.*; and the bill or note to be unavailable.

(2.) Provided that if any bill of exchange for the payment of money on demand, liable only to the duty of one penny, is presented for payment unstamped, the person to whom it is so presented may affix thereto a proper adhesive stamp, and cancel the same, as if he had been the drawer of the bill, and may, upon so doing, pay the sum in the said bill mentioned, and charge the duty in account against the person by whom the bill was drawn, or deduct such duty from the said sum, and such bill is, so far as respects the duty, to be deemed good and valid. Proviso as to the fixed duty;

(3.) But the foregoing proviso is not to relieve any person from any penalty he may have incurred in relation to such bill. not to relieve from penalty.

56. Every person to whom any bill of exchange or promissory note (except a bank note) is presented for payment, shall, upon paying the same, forthwith cancel it, and also write or impress upon every adhesive stamp (if any) affixed to the bill or note the word "paid," to the end that such stamp may be effectually cancelled; and in default of so doing shall forfeit the sum of *fifty pounds.* Persons paying bills or notes to cancel them, and adhesive stamps. Penalty, 50*l.*

57. When a bill of exchange is drawn in a set according to the custom of merchants, and one of the set is duly stamped, the other or others of the set shall, unless, issued or in some manner negotiated, or used, apart from such duly stamped bill, be exempt from duty; and upon proof of the loss or destruction of a duly stamped bill forming one of a set, any other bill of the set, which has not been issued, or in any manner negotiated, or used, apart from such lost or destroyed bill, may, although unstamped, be admitted in evidence to prove the contents of such lost or destroyed bill. One bill only out of a set need be stamped.

As to Bills of Lading.

58. (1.) A bill of lading is not to be stamped after the execution thereof. Bills of lading.

(2.) Every person who makes or executes any bill of lading not duly stamped, shall forfeit the sum of *fifty pounds.*

A.D. 1870.

As to Bills of Sale.

Bills of sale.

59. A copy of a bill of sale is not to be filed in any court, unless the original, duly stamped, is produced to the proper officer.

As to Bonds given in relation to the Duties of Customs and Excise.

Bonds not to include goods, &c. belonging to more than one person.

60. If any person required by any Act of Parliament, or by the direction of the Commissioners of Customs or Inland Revenue, or any of their officers, to give or enter into any bond for or in respect of any duties of customs or excise, or for preventing frauds or evasions thereof, or for any matter or thing relating thereto, includes in one and the same bond any goods or things belonging to more persons than one, not being co-partners or joint tenants, or tenants in common, he shall for every such offence forfeit the sum of *fifty pounds*.

Penalty 50*l*.

As to the Certificates of Attorneys and others.

Penalty for practising without a certificate,

61. (1.) Every person who in any part of the United Kingdom—

(*a*.) Directly or indirectly acts or practises in any court as an attorney, solicitor, proctor, writer to the signet, agent, or procurator, or as a notary public, without having in force at the time a duly stamped certificate according to the provisions herein-after contained and referred to:

or not making true statement, on application for certificate. 50*l*., and incapacity to recover fees, &c.

(*b*.) On applying for any such certificate, does not truly specify the facts and circumstances upon which the amount of duty chargeable upon his certificate depends:

Shall forfeit the sum of *fifty pounds*, and shall be incapable of maintaining any action or suit for the recovery of any fee, reward, or disbursement, on account of, or in relation to, any act or proceeding done or taken by him in any such capacity.

(2.) Any person in whose name, either alone or together with any other person, any proceeding is taken in any court, shall, unless the proceeding is set aside by the court as irregular, or unless the contrary is otherwise satisfactorily proved, be deemed to have acted in such proceeding.

Penalty on unqualified persons preparing instruments, 50*l*.

62. Every person who (not being a serjeant-at-law, barrister, attorney, solicitor, proctor, writer to the signet, agent, or procurator, or a duly certificated conveyancer, special pleader, or draftsman in equity) either directly or indirectly, for or in expectation of any fee, gain, or reward, draws or prepares any instrument relating to real or personal estate, shall forfeit the sum of *fifty pounds*.

Proviso.

Provided as follows:—

(1.) This section does not extend to—

(*a*.) Any public officer drawing or preparing official instruments, and in the course of his duty:

(*b.*) Any person employed merely to engross any instrument or proceedings.

(2.) The term "instrument" in this section does not include—

(*a.*) Wills or other testamentary instruments:

(*b.*) Agreements under hand only:

(*c.*) Letters or powers of attorney:

(*d.*) Transfers of stock containing no trust or limitation thereof:

(*e.*) Proceedings in law or equity.

One certificate only in England, Scotland, or Ireland.

63. It shall not be necessary for any person to take out in England, Scotland, or Ireland more than one certificate for any one year, but no certificate taken out in England, Scotland, or Ireland is to be available in any other country than that in which it is taken out.

Certificates of attorneys and others in England and Ireland, to be taken out and stamped according to the provisions of Acts relating thereto.

64. The certificates of attorneys, solicitors, and proctors in England and Ireland are to be applied for, taken out, issued, dated, and stamped,—

(1.) In England, in accordance with the provisions in that behalf of an Act of the sixth and seventh years of Her Majesty, intituled, "An Act for consolidating and amending "several of the Laws relating to attorneys and solicitors," and of an Act of the twenty-third and twenty-fourth years of Her Majesty, intituled, "An Act to amend the Laws "relating to Attorneys and Solicitors and certificated "Conveyancers."

(2.) In Ireland, in accordance with the provisions in that behalf of "The Attorneys and Solicitors Act, Ireland, 1866."

Other Certificates how to be taken out and stamped.

65. Every person required to take out a certificate to authorize him to practise—

(1.) In Scotland, as a writer to the signet, solicitor, agent, or procurator:

(2.) In England or Ireland, as a conveyancer, special pleader, or draftsman in equity:

(3.) In any part of the United Kingdom, as a notary public:

Shall, yearly and every year, before he does any act in any of the aforesaid capacities, deliver to the commissioners, or to their proper officer, in such manner and form as they shall direct, a note in writing stating his full name and the place where he carries on his business, and thereupon, and upon payment of the proper duty, shall be entitled to such certificate, which is to be duly stamped and issued to him by the commissioners.

A.D. 1870.

Certain certificates to be dated and to expire as in this section mentioned.

66. The certificates in this section specified are to be dated and to expire at the times herein-after in that behalf mentioned; that is to say,

(1.) The certificates of writers to the signet, solicitors, agents, attorneys, procurators, and notaries public in Scotland, and of conveyancers, special pleaders, and draftsmen in equity in England, are to be dated, if taken out between the thirty-first of October and the first of December, on the first of November, and if taken out at any other time, on the day on which they are issued, and are in all cases to expire on the thirty-first of October next after their date.

(2.) The certificates of notaries public in England are to be dated, if taken out between the fifteenth of November and the sixteenth of December, on the sixteenth of November, and if taken out at any other time, on the day on which they are issued, and are in all cases to expire on the fifteenth of November next after their date.

(3.) The certificates of conveyancers, special pleaders, draftsmen in equity, and notaries public in Ireland, are to be dated on the day on which they are issued, and are to expire, as to the certificates of notaries public, on the twenty-fifth day of March next after their date, and in all other cases on the sixth day of January next after their date.

As to the Certificate of Registration of a Design.

Duty to be denoted by an appropriated stamp.

67. The duty of *five pounds* upon the certificate of the registration of a design is to be denoted by a stamp to be specially appropriated for expressing and denoting the said duty.

As to Charter Parties.

Duty may be denoted by an adhesive stamp.

68. The duty upon an instrument chargeable with duty as a charter-party may be denoted by an adhesive stamp, which is to be cancelled by the person by whom the instrument is last executed, or by whose execution it is completed as a binding contract.

As to charter-parties executed abroad.

69. Where any document chargeable with duty as a charter-party, and not being duly stamped, is first executed out of the United Kingdom, any party thereto may, within ten days after it has been first received in the United Kingdom, and before it has been executed by any person in the United Kingdom, affix thereto an adhesive stamp denoting the duty chargeable thereon, and at the same time cancel such adhesive stamp; and the instrument with

an adhesive stamp thereon so affixed and cancelled shall be deemed duly stamped. A.D. 1870.

Terms upon which charter-parties may be stamped after execution.

70. An executed instrument chargeable with duty as a charter-party, and not being duly stamped, may be stamped with an impressed stamp upon the following terms; that is to say,

(1.) Within seven days after the first execution thereof, on payment of the duty and a penalty of *four shillings and sixpence*:

(2.) After seven days, but within one month after the first execution thereof, on payment of the duty and a penalty of *ten pounds*:

And shall not in any other case be stamped with an impressed stamp.

As to Contract Notes.

Duty may be denoted by adhesive stamp.

71. (1.) The duty on a contract note may be denoted by an adhesive stamp, which is to be cancelled by every person by whom the note is executed.

Penalty for making an unstamped note, 20*l.*; and no brokerage, &c. recoverable.

(2.) Every person who makes or executes any contract note chargeable with duty, and not being duly stamped, shall forfeit the sum of *twenty pounds*.

(3.) No broker, agent, or other person shall have any legal claim to any charge for brokerage, commission, or agency, with reference to the sale or purchase of any stock or marketable security of the value of five pounds or upwards, mentioned or referred to in any contract note, unless such note is duly stamped.

As to Conveyances on Sale.

Interpretation of term.

72. The term "Conveyance on sale" includes every instrument, and every decree or order of any court or of any commissioners, whereby any property upon the sale thereof is transferred to or vested in the purchaser, or any other person on his behalf or by his direction, or is otherwise declared to be, or to have become, the property of, or to belong to, the purchaser.

How ad valorem duty to be calculated in respect of stock and securities.

73. (1.) Where the consideration, or any part of the consideration, for a conveyance on sale consists of any stock or marketable security, such conveyance is to be charged with ad valorem duty in respect of the value of such stock or security.

(2.) Where the consideration, or any part of the consideration, for a conveyance on sale consists of any security not being a marketable security, such conveyance is to be charged with ad

A.D. 1870.

valorem duty in respect of the amount due on the day of the date thereof for principal and interest upon such security.

How consideration consisting of periodical payments to be charged.

74. (1.) Where the consideration, or any part of the consideration, for a conveyance on sale consists of money payable periodically for a definite period, so that the total amount to be paid can be previously ascertained, such conveyance is to be charged in respect of such consideration with ad valorem duty on such total amount.

(2.) Where the consideration, or any part of the consideration, for a conveyance on sale consists of money payable periodically in perpetuity, or for any indefinite period not terminable with life, such conveyance is to be charged in respect of such consideration with ad valorem duty on the total amount, which will or may, according to the terms of sale, be payable during the period of twenty years next after the day of the date of such instrument.

(3.) Where the consideration, or any part of the consideration, for a conveyance on sale consists of money payable periodically during any life or lives, such conveyance is to be charged in respect of such consideration with ad valorem duty on the amount, which will or may, according to the terms of sale, be payable during the period of twelve years next after the day of the date of such instrument.

(4.) Provided that no conveyance on sale, chargeable with ad valorem duty in respect of any periodical payments, and containing also provision for securing such periodical payments, is to be charged with any duty whatsoever in respect of such provision.

How conveyance in consideration of a debt, or subject to future payment, &c. to be charged.

75. Where any property is conveyed to any person in consideration, wholly or in part, of any debt due to him, or subject either certainly or contingently to the payment or transfer of any money or stock, whether being or constituting a charge or incumbrance upon the property or not, such debt, money, or stock is to be deemed the whole, or part, as the case may be, of the consideration in respect whereof the conveyance is chargeable with ad valorem duty.

Direction as to duty in certain cases.

76. (1.) Where any property of different kinds or tenures, or held under different titles, has been contracted to be sold for one consideration for the whole, and is conveyed to the purchaser in separate parts or parcels by different instruments, the consideration is to be apportioned in such manner as the parties think fit, so that

a distinct consideration for each separate part or parcel is set forth in the conveyance relating thereto, and such conveyance is to be charged with ad valorem duty in respect of such distinct consideration. A.D. 1870.

(2.) Where property contracted to be purchased for one consideration for the whole by two or more persons jointly, or by any person for himself and others, or wholly for others, is conveyed in parts or parcels by separate instruments to the persons by or for whom the same was purchased, for distinct parts of the consideration, the conveyance of each separate part or parcel is to be charged with ad valorem duty in respect of the distinct part of the consideration therein specified.

(3.) Where a person, having contracted for the purchase of any property, but not having obtained a conveyance thereof, contracts to sell the same to any other person, and the property is, in consequence, conveyed immediately to the sub-purchaser, the conveyance is to be charged with ad valorem duty in respect of the consideration for the sale by the original purchaser to the sub-purchaser.

(4.) Where a person having contracted for the purchase of any property, but not having obtained a conveyance, contracts to sell the whole, or any part or parts thereof, to any other person or persons, and the property is, in consequence, conveyed by the original seller to different persons in parts or parcels, the conveyance of each part or parcel is to be charged with ad valorem duty, in respect only of the consideration moving from the sub-purchaser thereof, without regard to the amount or value of the original consideration.

(5.) Where a sub-purchaser takes an actual conveyance of the interest of the person immediately selling to him, which is chargeable with ad valorem duty in respect of the consideration moving from him, and is duly stamped accordingly, any conveyance to be afterwards made to him of the same property by the original seller shall be exempt from the said ad valorem duty, and chargeable only with the duty to which it may be liable under any general description; but such last-mentioned duty shall not exceed the ad valorem duty.

As to the sale of an annuity or right not before in existence.

77. Where upon the sale of any annuity or other right not before in existence, such annuity or other right is not created by actual grant or conveyance, but is only secured by bond, warrant of attorney, covenant, contract, or otherwise, the bond or other

A.D. 1870.

instrument, or some one of such instruments, if there be more than one, is to be charged with the same duty as an actual grant or conveyance, and is for all the purposes of this Act to be deemed an instrument of conveyance on sale.

Where several instruments, the principal instrument only to be charged with ad valorem duty.

78. Where there are several instruments of conveyance for completing the purchaser's title to the property sold, the principal instrument of conveyance only is to be charged with ad valorem duty, and the other instruments are to be respectively charged with such other duty as they may be liable to under any general or particular description, but such last-mentioned duty shall not exceed the ad valorem duty payable in respect of the principal instrument.

Principal instrument, how to be ascertained.

79. (1.) In the cases below specified the principal instrument is to be ascertained in the following manner:—

(*a.*) Where any copyhold or customary estate is conveyed by a deed, no surrender being necessary, the deed is to be deemed the principal instrument:

(*b.*) In other cases of copyhold or customary estates, the surrender or grant, if made out of court, or the memorandum thereof, and the copy of court roll of the surrender or grant, if made in court, shall be deemed the principal instrument:

(*c.*) Where in Scotland there is a disposition or assignation executed by the seller, and any other instrument is executed for completing the title, the disposition or assignation is to be deemed the principal instrument.

(2.) In any other case the parties may determine for themselves which of several instruments is to be deemed the principal instrument, and may pay the ad valorem duty thereon accordingly.

As to Conveyances on any occasion except Sale or Mortgage.

What is to be deemed a conveyance on any occasion, not being a sale or mortgage.

80. Every instrument, and every decree or order of any court or of any commissioners, whereby any property on any occasion, except a sale or mortgage, is transferred to or vested in any person, is chargeable with duty as a conveyance or transfer of property.

As to attested Copies and Extracts.

Certain copies and extracts may be stamped without penalty within

81. An attested or otherwise authenticated copy or extract of or from—

(1.) An instrument chargeable with any duty;

(2.) An original will, testament, or codicil;

(3.) The probate or probate copy of a will or codicil;

A.D. 1870.

(4.) Letters of administration or a confirmation of a testament; may be stamped at any time within fourteen days after the date of the attestation or authentication, on payment of the duty only without any penalty.

14 days after attestation.

As to certified Copies and Extracts from Registers of births, &c.

82. The duty upon a certified copy or extract of or from any register of births, baptisms, marriages, deaths, or burials, is to be paid by the person requiring the copy or extract, and may be denoted by an adhesive stamp, which is to be cancelled by the person by whom the copy or extract is delivered out, before he delivers the same out of his hands, custody, or power.

By whom duty to be paid; may be denoted by adhesive stamp.

As to Copyhold and Customary Estates.

83. (1.) The copy of court roll of a surrender or grant made out of court shall not be admissible or available as evidence of the surrender or grant, unless it appears on the face of such copy by the certificate of the steward of the manor that the surrender or grant, or the memorandum thereof, is duly stamped.

Payment of duty to be certified.

(2.) The entry upon the court rolls of a surrender or grant shall not be admissible or available as evidence of the surrender or grant unless it appears in the margin of such entry by the certificate of the steward of the manor that the surrender or grant, if made out of court, or the memorandum thereof, or the copy of court roll of the surrender or grant, if made in court, is duly stamped.

84. No instrument is to be charged more than once with duty by reason of relating to several distinct tenements, in respect whereof several fines or fees are due to the lord or steward of the manor.

Not to be charged more than once.

85. (1.) All the facts and circumstances affecting the liability to duty of the copy of court roll of any surrender or grant made in court, or the amount of duty with which any such copy of court roll is chargeable, are to be fully and truly stated in a note to be delivered to the steward of the manor before the surrender or grant is made.

Facts and circumstances affecting duty—how to be stated.

(2.) Every person who, with intent to defraud Her Majesty, her heirs or successors, of any duty,

Penalty 50*l.*

(*a.*) Makes in court any surrender before such a note as aforesaid has been delivered to the steward of the manor:

(*b.*) Being employed or concerned in or about the preparation of any such note as aforesaid, neglects, or omits fully and truly to state therein all the above-mentioned facts and circumstances:

Shall forfeit the sum of *fifty pounds*.

A.D. 1870.

Steward to refuse to perform certain acts.

86. The steward of every manor shall refuse—

(1.) To accept in court any surrender, or to make in court any grant, until such a note as is required by the last preceding section has been delivered to him:

(2.) To enter on the court rolls, or accept any presentment of, or admit any person to be tenant under or by virtue of, any surrender or grant made out of court, or any deed which is not duly stamped:

Penalty for not refusing, 50*l.*

And in any case in which he does not so refuse, shall forfeit the sum of *fifty pounds.*

Steward to make out duly stamped copies.

87. The steward of every manor shall, within four months from the day on which any surrender or grant is made in court, make out a duly stamped copy of court roll of such surrender or grant, and have the same ready for delivery to the person entitled thereto; and if he neglects so to do, shall forfeit the sum of *fifty pounds;* and the duty payable in respect of such copy of court roll shall be a debt to Her Majesty, her heirs or successors, from such steward, whether he shall have received it or not, and shall be recoverable by the summary means provided for the recovery of duties received and not applied, and if he has not received the duty, the same shall also be a debt to Her Majesty, her heirs or successors, from the party entitled to such copy, and recoverable from him in manner aforesaid.

Penalty for neglect, 50*l.*; and to be liable for the duty.

Steward may refuse to proceed except on payment of his fees and duty.

88. The steward of any manor may, before he accepts in court any surrender or makes in court any grant, demand and insist on the payment of his lawful fees in relation to the surrender or grant, together with the duty payable on the copy of court roll thereof, and may refuse to proceed in any such matter or to deliver such copy of court roll to any person until such fees and duty are paid.

As to Delivery Orders and Warrants for Goods.

Interpretation of term.

89. The term "Delivery order" means any document or writing entitling, or intended to entitle, any person therein named, or his assigns, or the holder thereof, to the delivery of any goods, wares, or merchandise, of the value of forty shillings, or upwards, lying in any dock or port, or in any warehouse in which goods are stored or deposited on rent or hire, or upon any wharf, such document or writing being signed by or on behalf of the owner of such goods, wares, or merchandise, upon the sale or transfer of the property therein.

Interpretation of term.

90. The term "Warrant for goods" means any document or writing, being evidence of the title of any person therein named, or his assigns, or the holder thereof, to the property in any goods,

A.D. 1870.

wares, or merchandise lying in any warehouse or dock, or upon any wharf, and signed or certified by or on behalf of the person having the custody of such goods, wares, or merchandise.

Duty may be denoted by an adhesive stamp.

91. The duty upon a delivery order, or warrant for goods, may be denoted by an adhesive stamp, which is to be cancelled by the person by whom the instrument is made, executed, or issued.

By whom duty on delivery order to be paid.

92. The duty upon a delivery order is, in the absence of any special stipulation, to be paid by the person to whom the order is given, and any person, from whom a delivery order chargeable with duty is required, may refuse to give it, unless or until the amount of the duty is paid to him.

What documents to be chargeable as delivery orders.

93. (1.) Every document or writing in the nature of a delivery order is to be deemed to have been given upon a sale of, or transfer of the property in, goods, wares, or merchandise, of the value of forty shillings or upwards, unless the contrary is expressly stated therein, and every person who

Penalty for making false statement,

(*a.*) Untruly states, or knowingly or willingly allows it to be untruly stated, in any such document or writing, either that the transaction to which it relates is not a sale or transfer of property, or that the goods, wares, or merchandise to which it relates are not of the value of forty shillings.

or signing, &c.

(*b.*) Makes, signs, or issues any delivery order chargeable with duty, but not being duly stamped.

or making use of any order not duly stamped, or containing any false statement, 20*l.*

(*c.*) Knowingly or wilfully, either himself, or by his servant or any other person, procures or requires or authorizes the delivery of, or delivers, any goods, wares, or merchandise mentioned in any delivery order, which is not duly stamped, or which contains to his knowledge any false statement with reference either to the nature of the transaction, or the value of the goods, wares, or merchandise, shall forfeit the sum of *twenty pounds*.

(2.) But no delivery order is, by reason of the same being unstamped, to be deemed invalid in the hands of the person having the custody of, or delivering out, the goods, wares, or merchandise therein mentioned, unless such person is proved to have been party or privy to some fraud on the revenue in relation thereto.

Penalty for making, &c. unstamped warrant, 20*l.*

94. Every person who makes, executes, or issues, or receives or takes by way of security or indemnity, any warrant for goods not being duly stamped, shall forfeit the sum of *twenty pounds*.

A.D. 1870.

As to Duplicates and Counterparts.

When duly stamped.

95. The duplicate or counterpart of an instrument chargeable with duty (except the counterpart of an instrument chargeable as a lease, such counterpart not being executed by or on behalf of any lessor or grantor) is not to be deemed duly stamped, unless it is stamped as an original instrument, or unless it appears by some stamp impressed thereon that the full and proper duty has been paid upon the original instrument of which it is the duplicate or counterpart.

As to Exchange or Excambion and Partition or Division.

As to exchange or excambion, &c.

96. Where, upon the exchange of any real or heritable property for any other real or heritable property, or upon the partition or division of any real or heritable property, any valuable consideration is paid, or given, or agreed to be paid or given, for equality, the principal or only instrument whereby such exchange or partition or division is effected is to be charged not only with the duty to which it may be liable under any general description, but also with the same ad valorem duty as a conveyance on sale for such consideration, and where in any such case there are several instruments for completing the title of either party, the principal instrument is to be ascertained, and the other instruments are to be charged with duty, according to the provisions of the seventy-eight and seventy-ninth sections of this Act.

As to Grants of Honours and Dignities.

How to be charged in certain cases.

97. (1.) Where two or more honours or dignities are granted by the same letters patent to the same person, such letters patent are to be charged with the proper duty in respect of the highest in point of rank only.

(2.) Where any honour, or dignity, honours or dignities, is or are granted to any person or persons in remainder, the letters patent are to be charged with such further duty in respect of every remainder as would have been payable for an original grant of the same honour or dignity, honours or dignities.

As to Leases, &c.

Agreements for not more than thirty-five years to be charged as leases.

98. (1.) An agreement for a lease or tack, or with respect to the letting of any lands, tenements, or heritable subjects for any term not exceeding *thirty-five* years, is to be charged with the same duty as if it were an actual lease or tack made for the term and consideration mentioned in the agreement.

(2.) A lease or tack made subsequently to, and in conformity with, such an agreement duly stamped is to be charged with the duty of *sixpence* only.

A.D. 1870.

Leases how to be charged in respect of produce, &c.

99. (1.) Where the consideration, or any part of the consideration, for which any lease or tack is granted, or agreed to be granted, does not consist of money, but consists of any produce or other articles, the value of such produce or articles, estimated as herein-after mentioned, is to be deemed a consideration in respect of which the lease or tack or agreement is chargeable with ad valorem duty, and where it is stipulated that the value of such produce or articles is to amount at least to, or is not to exceed, a given sum, or where the lessee is specially charged with, or has the option of paying after, any permanent rate of conversion, the value of such produce or articles is, for the purpose of assessing the ad valorem duty, to be estimated at such given sum, or according to such permanent rate; and in any other case the value of such produce or articles is to be estimated at their fair average value according to the best information that can be obtained, and is to be stated in the lease or tack or agreement.

Effect of statement or absence of statement of value.

(2.) A lease or tack or agreement made either entirely or partially for any such consideration, and not containing a statement of the value thereof estimated as aforesaid, shall not be admissible in evidence or available for any purpose, unless and until it is proved by the person tendering the same in evidence, or otherwise relying thereon, that the duty is sufficient to cover the full value of such consideration, as well as any other duty with which the instrument is chargeable; but any such lease, tack, or agreement, if it contains a statement of the value estimated as aforesaid of such consideration, and is stamped in accordance with such statement, is, so far as regards the subject matter of such statement, to be deemed duly stamped, unless or until it is otherwise shown that such statement is incorrect, and that it is in fact not duly stamped.

No duty in respect of penal rent,

100. A lease or tack, or agreement for a lease or tack, or with respect to any letting, is not to be charged with any duty in respect of any penal rent, or increased rent in the nature of a penal rent, thereby reserved or agreed to be reserved or made payable, or, if otherwise chargeable with duty, with any additional duty, by reason of being made in consideration of the surrender or abandonment of any existing lease, tack, or agreement of or relating to the same subject matter.

or surrender of previous lease.

Duty in certain cases may be denoted by adhesive stamp.

101. (1.) The duty upon an instrument chargeable with duty as a lease or tack for any definite term less than a year of—

(*a.*) Any dwelling house or tenement, or part of a dwelling house or tenement, at a rent not exceeding the rate of ten pounds per annum,

A.D. 1870.

(*b.*) Any furnished dwelling house or apartments,

Or upon the duplicate or counterpart of any such instrument, may be denoted by an adhesive stamp, which is to be cancelled by every person by whom the instrument is executed.

Proviso.

(2.) Provided that if there are more than two parties to the instrument, and there is a duplicate or counterpart thereof, it shall be sufficient if the stamp on each copy or part is cancelled by one person.

Penalty in certain cases.

102. (1.) Every person who executes, or prepares or is employed in preparing, any instrument upon which the duty may, under the provisions of the last preceding section, be denoted by an adhesive stamp, and which is not, at or before the execution thereof, duly stamped, shall forfeit the sum of *five pounds*.

Proviso.

(2.) Provided that nothing in this section contained shall render any person liable to the said penalty of *five pounds* in respect of any letters or correspondence.

As to Letters of Allotment, Scrip Certificates, and Scrip.

Penalty for executing, &c. not duly stamped, 20*l.*

103. Every person who executes, grants, issues, or delivers out any document chargeable with duty as a letter of allotment, letter of renunciation, or scrip certificate, or as scrip, before the same is duly stamped, shall forfeit the sum of *twenty pounds*.

As to Letters or Powers of Attorney, and Voting Papers.

Proxies and voting papers confined to one meeting.

104. (1.) Every letter or power of attorney for the purpose of appointing a proxy to vote at a meeting, and every voting paper, hereby respectively charged with the duty of one penny, is to specify the day upon which the meeting at which it is intended to be used is to be held, and is to be available only at the meeting so specified, or any adjournment thereof.

Duty may be denoted by adhesive stamp.

(2.) The said duty of one penny may be denoted by an adhesive stamp, which is to be cancelled by the person by whom the instrument is executed.

Penalty for executing, &c. not duly stamped, 50*l.*,

(3.) Every person who makes or executes, or votes, or attempts to vote, under or by means of, any such letter or power of attorney, or voting paper, not being duly stamped, shall forfeit the sum of *fifty pounds*.

and vote void,

(4.) Every vote given or tendered under the authority or by means of any such letter, or power of attorney, or voting paper, not being duly stamped, shall be absolutely null and void.

(5.) And no such letter or power of attorney, or voting paper shall on any pretence whatever be stamped after the execution thereof by any person.

may not be stamped after execution.

105. A letter or power of attorney for the sale, transfer, or acceptance of any of the Government or Parliamentary stocks or funds, duly stamped for that purpose, is not to be charged with any further duty by reason of containing an authority for the receipt of the dividends on the same stocks or funds.

Power relating to Government stocks—how to be charged.

106. A writing under hand only, containing an order, request, or direction from the owner or proprietor of any stock, to any company, or to any officer of any company, or to any banker, to pay the dividends or interest arising from such stock to any person therein named, is not chargeable with duty as a letter or power of attorney.

Order to pay dividends not power of attorney.

As to Mortgages, &c.

107. The term "Mortgage" means and includes every instrument, by whatsoever name it may be called, whereby any property of any kind whatsoever, or any title deeds, *or any securities or documents*, is or are conveyed, charged, or pledged, or agreed or declared to be, or to have been, conveyed, charged, or pledged, as a security for the payment or repayment in any manner of any money, or the transfer or retransfer of any stock, except a note or memorandum legally issued by a pawnbroker under and in pursuance of any Act relating to the business of pawnbrokers.

Interpretation of term.

108. A security for the transfer or retransfer of any stock is to be charged with the same duty as a similar security for a sum of money equal in amount to the value of such stock; and a transfer, assignment, disposition, or assignation of any such security, and a reconveyance, release, discharge, surrender, re-surrender, warrant to vacate, or renunciation of any such security shall be charged with the same duty as an instrument of the same description relating to a sum of money equal in amount to the value of such stock.

Security for stock, how to be charged.

109. (1.) A security for the payment or repayment of money to be lent, advanced, or paid, or which may become due upon an account current, either with or without money previously due, is to be charged, where the total amount secured or to be ultimately recoverable is in any way limited, with the same duty as a security for the amount so limited.

Security for future advances, how to be charged.

(2.) Where such total amount is unlimited, the security is to be available for such an amount only as the ad valorem duty impressed thereon extends to cover.

A.D. 1870.

Proviso.

(3.) Provided that no money to be advanced for the insurance of any property comprised in any such security against damage by fire, or for keeping up any policy of life insurance comprised in such security, or for effecting in lieu thereof any new policy, or for the renewal of any grant or lease of any property comprised in such security upon the dropping of any life whereon such property is held, shall be reckoned as forming part of the amount in respect whereof the security is chargeable with ad valorem duty.

Security for repayment by periodical payments how to be charged.

110. A security for the payment of any rentcharge, annuity, or periodical payments, by way of repayment, or in satisfaction or discharge of any loan, advance, or payment intended to be so repaid, satisfied, or discharged, is to be charged with the same duty as a similar security for the payment of the sum of money so lent, advanced, or paid.

As to transfers and further charges.

111. No transfer of a duly stamped security, and no security by way of further charge for money or stock, added to money or stock previously secured by a duly stamped instrument, is to be charged with any duty by reason of containing any further or additional security for the money or stock transferred or previously secured, or the interest or dividends thereof, or any new covenant, proviso, power, stipulation, or agreement in relation thereto, or any further assurance of the property comprised in the transferred or previous security.

As to copyholds.

112. (1.) Where any copyhold or customary lands or hereditaments are mortgaged alone by means of a conditional surrender or grant, the ad valorem duty is to be charged on the surrender or grant, if made out of court, or the memoradum thereof, and on the copy of court roll of the surrender or grant, if made in court.

(2.) Where any copyhold or customary lands or hereditaments are mortgaged, together with other property, for securing the same money or the same stock, the ad valorem duty is to be charged on the instrument relating to the other property, and the surrender or grant, or the memorandum thereof, or the copy of court roll of the surrender or grant, as the case may be, is to be charged with duty, as if the surrender or grant were not made upon a mortgage, but such last-mentioned duty shall not exceed the said ad valorem duty.

As to mortgage with conveyance of equity of redemption.

113. An instrument chargeable with ad valorem duty as a mortgage is not to be charged with any other duty, by reason of the equity of redemption in the mortgaged property being thereby conveyed or limited in any other manner than to, or in trust for, or according to the direction of, a purchaser.

A.D. 1870.

Exemption from stamp duty in favour of benefit building societies restricted.

114. The exemption from stamp duty conferred by the Act of the sixth and seventh years of King William the Fourth, chapter thirty-two, for the Regulation of Benefit Building Societies, shall not extend to any mortgage to be made after the passing of this Act, except a mortgage by a member of a benefit building society for securing the repayment to the society of money not exceeding five hundred pounds.

Interpretation of term "Foreign security."

115. The term "Foreign security" means and includes every security for money by or on behalf of any foreign or colonial state, government, municipal body, corporation, or company, bearing date or signed after the third day of June one thousand eight hundred and sixty-two, (except an instrument chargeable with duty as a bill of exchange or promissory note),

(1.) Which is made or issued in the United Kingdom:

(2.) Upon which any interest is expressed to be payable, or is actually paid, in the United Kingdom:

(3.) Which is assigned, transferred, or in any manner negotiated in the United Kingdom.

Penalty for issuing, &c. any foreign security not dulystamped. 20*l.*

116. Every person who in the United Kingdom makes, issues, assigns, transfers, or negotiates, or pays any interest upon, any foreign security not being duly stamped, shall forfeit the sum of *twenty pounds.*

Foreign securities may be stamped without penalty.

117. The Commissioners may at any time, without reference to the date thereof, allow any foreign security to be stamped without the payment of any penalty, upon being satisfied, in any manner that they may think proper, that it was not made or issued, and has not been transferred, assigned, or negotiated within the United Kingdom, and that no interest has been paid thereon within the United Kingdom.

As to Notarial Acts.

Duty may be denoted by adhesive stamp.

118. The duty upon a notarial act, and upon the protest by a notary public of a bill of exchange or promissory note, may be denoted by an adhesive stamp, which is to be cancelled by the notary.

As to Policies of Insurance.

Interpretation of terms, &c.

119. (1.) The term "Insurance" includes assurance, and the term "Policy" includes every writing whereby any contract of insurance is made, or agreed to be made, or is evidenced; and except as herein-after mentioned, this Act does not apply to policies of sea insurance.

A.D. 1870.

(2.) Policies of sea insurance made or executed out of, but being in any manner enforceable within, the United Kingdom are to be charged with the duties imposed by the Act of the thirtieth year of Her Majesty's reign, chapter twenty-three.

(3.) The second exception contained in the ninth section of the last-mentioned Act is hereby repealed, and a policy of sea insurance may be stamped at any time within fourteen days after it has been first received in the United Kingdom, on payment of the duty only.

Penalty for not making out policy,

120. (1.) Every person who—

(*a.*) Receives, or takes credit for, any premium or consideration for any contract of insurance, and does not, within one week after receiving, or taking credit for, such premium or consideration, make out and execute a duly stamped policy of such insurance;

or making, &c. any policy not duly stamped. 50*l.*

(*b.*) Makes, executes, or delivers out,—or pays or allows in account, or agrees to pay or allow in account any money upon, or in respect of,—any policy which is not duly stamped;

Shall forfeit the sum of *fifty pounds.*

On the managing director, &c.

(2.) The managing director, secretary, or other principal officer of a company or society incurring the said penalty shall, as well as the said company or society, forfeit the sum of *fifty pounds.*

Duty may be denoted by adhesive stamp.

121. (1.) The duties imposed by this Act upon policies of insurance may be denoted by adhesive stamps, or partly by adhesive, and partly by impressed, stamps.

(2.) When the whole, or any part, of the duty upon a policy of insurance is denoted by an adhesive stamp, such adhesive stamp is to be cancelled by writing thereon the name or initials of the person or company or society making the insurance, and the name of the person insured.

Penalty on the company and directors, &c. 50*l.*

(3.) In default of such cancellation, the person, company, or society making the insurance, and also the managing director, secretary, or other principal officer of the company or society, and any other director, by whom the policy is executed, shall forfeit the sum of *fifty pounds.*

As to Receipts.

Interpretation of term.

122. The term "Receipt" means and includes,—

(1.) Any note, memorandum, or writing whatsoever, whereby any money amounting to two pounds or upwards, or any bill of exchange or promissory note for money amounting to two pounds or upwards, is acknowledged or expressed to have

been received, or deposited, or paid, or whereby any debt or demand, or any part of a debt or demand, of the amount of two pounds or upwards, is acknowledged to have been settled, satisfied, or discharged, or which signifies or imports any such acknowledgment, and whether the same is or is not signed with the name of any person:

(2.) Any coupon or warrant for interest attached to and issued with any security entitling the holder thereof to receive any sum of money amounting to two pounds or upwards.

Duty may be denoted by adhesive stamp.

123. The duty upon a receipt may be denoted by an adhesive stamp, which is to be cancelled by the person by whom the receipt is given, before he delivers it out of his hands.

Terms upon which receipts may be stamped after execution.

124. A receipt given without being stamped, may be stamped with an impressed stamp, upon the terms following; that is to say,—

(1.) Within fourteen days after it has been given, on payment of the duty and a penalty of *five pounds:*

(2.) After fourteen days, but within one month, after it has been given, on payment of the duty and a penalty of *ten pounds:*

And shall not in any other case be stamped with an impressed stamp.

Penalty for offences.

125. If any person—

(1.) Gives any receipt liable to duty and not duly stamped:

(2.) In any case where a receipt given would be liable to duty, refuses to give a receipt duly stamped:

(3.) Upon a payment to the amount of two pounds or upwards, gives a receipt for a sum not amounting to two pounds, or separates or divides the amount paid with intent to evade the duty:

He shall forfeit the sum of *ten pounds.*

As to Settlements.

Cases in which ad valorem duty is chargeable.

126. (1.) Where any money, stock, or security is in any manner dealt with by way of settlement, or affected by any agreement for a settlement, the instrument, whereby such dealing or agreement is effected or made, is to be charged with ad valorem duty in respect of such money, stock, or security, whether the interest of the settlor therein, being a vested interest, is in possession or reversionary, defeasible or indefeasible.

(2.) Where any money, stock, or security is agreed or directed to be paid or raised or transferred for the purposes of any settlement, the instrument containing such agreement or direction is to be charged with ad valorem duty in respect of such money, stock, or

A.D. 1870.

security, whether it is to be paid or raised or transferred in any event, or only in an event which may or may not happen.

(3.) When money subject to the trusts of any will or settlement has been invested in the purchase of real estate, and such real estate is, under the trusts of such will or settlement, to be resold and in the meantime regarded as money, any instrument, whereby such real estate is settled or agreed to be settled, but which does not operate as an absolute election to take the same as real estate, shall be deemed for the purposes of this Act a settlement of the money so invested.

As to settlement of policy or security.

127. Where any money which may become due or payable upon any policy of insurance, or upon any security not being a marketable security, is settled or agreed to be settled, the instrument whereby such settlement is made or agreed to be made is to be charged with ad valorem duty in respect of such money.

Proviso, As to policies.

Provided as follows:—

(1.) Where, in the case of a policy of insurance, no provision is made for keeping up the policy, the ad valorem duty is to be charged only on the value of the policy at the date of the instrument:

(2.) If in any such case the instrument contains a statement of such value, and is stamped in accordance with such statement, it is, so far as regards such policy, to be deemed duly stamped, unless or until it is shown that such statement is untrue, and that the instrument is, in fact, insufficiently stamped, but if the instrument does not contain any such statement of the value of the policy, then it is not on any occasion or for any purpose to be deemed duly stamped, unless or until it is otherwise shown that the stamp thereon is sufficient to cover the full value of such policy at the date of the instrument, as well as any other duty with which the instrument is chargeable.

Settlements when not to be charged as securities.

128. (1.) An instrument chargeable with ad valorem duty as a settlement in respect of any money, stock, or security is not to be charged with any further duty by reason of containing provision for the payment or transfer of the same money, stock, or security.

(2.) Where any money, stock, or security is settled or agreed to be settled by a person who has only a reversionary interest therein, and the instrument, whereby such settlement is made or agreed to be made, contains a covenant, by the person entitled in possession to the interest or dividends of such money, stock, or security for the

payment, during the continuance of such possession, of any annuity or yearly sum, not exceeding interest at the rate of four pounds per centum per annum upon the amount or value of such money, stock, or security, such instrument shall not be charged with any duty in respect of such covenant.

Where several instruments one only to be charged with ad valorem duty.

129. (1.) Where several instruments are executed for effecting the settlement of the same property, and the ad valorem duty chargeable in respect of the settlement of such property exceeds ten shillings, one only of such instruments is to be charged with the ad valorem duty.

(2.) Where a settlement is made in pursuance of any previous agreement or articles, upon which any ad valorem settlement duty exceeding ten shillings has been paid in respect of the same property, such settlement is not to be charged with any ad valorem settlement duty.

(3.) In each of the aforesaid cases the instruments not chargeable with ad valorem duty are to be charged with such other duty as they may be liable to under any other general or particular description, but that duty shall not exceed the ad valorem duty.

As to Share Warrants.

Penalty for issuing sharewarrant not duly stamped, 50*l.*

130. If a share warrant is issued without being duly stamped, the company issuing the same, and also every person who, at the time when it is issued, is the managing director or secretary or other principal officer of the company, shall forfeit the sum of *fifty pounds.*

As to transfers of Shares in Cost Book Mines.

Duty may be denoted by adhesive stamp.

131. (1.) The duty upon a request or authority to the purser or other officer of a mining company conducted on the cost book system, to enter or register the transfer of any share or part of a share of the mine, and the duty upon a notice to such purser or officer of any such transfer, may be denoted by an adhesive stamp, which is to be cancelled by the person by whom the request, authority, or notice is written or executed.

Penalty for signing, &c. 20*l.*

(2.) Every person who writes or executes any such request, authority, or notice, not being duly stamped, and every purser or other officer of any such company who in any manner obeys, complies with, or gives effect to, any such request, authority, or notice, not being duly stamped, shall forfeit the sum of *twenty pounds.*

SCHEDULE.

[*The Stamp Duties in this Schedule are proposed to be inserted in Committee.*]

	Duty. £	s.	d.
ADMISSION in England, Scotland, or Ireland of any person—			
As an advocate in any court - - - - -	50	0	0
Exemption.			
Where a person has been duly admitted as an advocate in any court in England, Scotland, or Ireland, his admission as an advocate in any other court in the same country is exempt from duty.			
And see sections 29 and 30.			
ADMISSION in England or Ireland of any person—			
To the degree of barrister-at-law.			
If he has been previously duly admitted to the said degree in Ireland, or in England, as the case may be - -	10	0	0
In any other case - - - - - -	50	0	0
And see sections 29, 30, and 31.			
ADMISSION of any person—			
To be a member of either of the four Inns of Court in England, or a student of the Society of King's Inns in Dublin	25	0	0
Exemptions.			
(1.) Where a person has been duly admitted a member of one of the Inns of Court in England, his admission as a member of any other of the said Inns is exempt from duty.			
(2.) Where a person has been duly admitted a student of the Society of King's Inns in Dublin, his admission as a member of any of the Inns of Court in England is exempt from duty.			
And see sections 29, 30, 31, and 32.			
ADMISSION of any person—			
To be a member of either of the Societies commonly called Inns of Chancery in England - - - - -	3	0	0
And see sections 29 and 30.			
ADMISSION in England or Ireland of any person—			
As an attorney, solicitor, or proctor in any court - -	25	0	0
Exemption.			
Where a person has been duly admitted as an attorney, solicitor, or proctor in any court in England or Ireland his admission to act in either of those capacities in any other court in the same country is exempt from duty.			
And see sections 29 and 30.			

	£	s.	d.
ADMISSION in Scotland of any person—			
(1.) As a writer to the signet, or as a solicitor, agent, or attorney in the court of session, justiciary, or commission of teinds:			
If he has previously paid the sum of 60*l.* for duty upon his articles of clerkship - - -	25	0	0
If he has been previously duly admitted as a procurator or solicitor in any inferior court -	30	0	0
In any other case - - - - -	85	0	0
(2.) As a procurator or solicitor in any inferior court:			
If he has previously paid the sum of 2*s.* 6*d.* for duty on his articles of clerkship - -	54	17	6
In any other case - - - - -	55	0	0
Exemptions.			
(1.) Where a person has been duly admitted as a writer to the signet, or as a solicitor, agent, or attorney in the court of session, justiciary or commission of teinds, his admission to act in either of those capacities in any other of the said courts, or as a procurator or solicitor in any inferior court, is exempt from duty.			
(2.) Where a person has been duly admitted as a procurator or solicitor in any inferior court, his admission as a procurator or solicitor in any other inferior court is exempt from duty.			
And see sections 29 and 30.			
ADMISSION to act as a notary public.			
See Faculty.			
ADMISSION of any person—			
As a Fellow of the College of Physicians in England, Scotland, or Ireland - - - - -	25	0	0
And see sections 29 and 30.			
ADMISSION to the degree of doctor of medicine in either of the universities in Scotland - - - - -	10	0	0
And see sections 29 and 30.			
ADMISSION in England or Ireland of any person—			
As a burgess, or into any corporation or company, in any city, borough, or town corporate.			
In respect of birth, apprenticeship, or marriage, or, in Ireland, in respect of being engaged in any trade, mystery, or handicraft - - - -	1	0	0
Upon any other ground - - - -	3	0	0
Exemption.			
Admission of any person to the freedom of the city of London by redemption.			
And see sections 29 and 30.			

A.D. 1870.

	£	s.	d.
ADMISSION in Scotland of any person—			
As a burgess, or into any corporation or company, in any burgh - - - - - - - -	0	5	0
Exemption.			
Admission of a craftsman or other person into any corporation within any royal burgh, burgh of royalty, or burgh of barony incorporated by the magistrates and council of such burgh, provided such craftsman or other person has been previously duly admitted a freeman or burgess of the burgh.			
And see sections 29 and 30.			
ADMISSION to Ecclesiastical benefices in Scotland. See APPOINTMENT, &c. to ecclesiastical benefices.			
ADMISSION, APPOINTMENT, or GRANT—			
To or of any office or employment—			
Where the annual salary, fees, or emoluments appertaining to such office or employment do not exceed 100*l.* -	2	0	0
Exceed 100*l.* and do not exceed 150*l.* - - -	4	0	0
„ 150*l.* „ „ 200*l.* - - -	6	0	0
„ 200*l.* „ „ 250*l.* - - -	8	0	0
„ 250*l.* „ „ 300*l.* - - -	10	0	0
„ 300*l.*			
For every 100*l.*, and also for any fractional part of 100*l.*	5	0	0
Exemptions.			
(1.) Admission proceeding upon a duly stamped appointment or grant.			
(2.) First appointment of any person to the office or employment of out-door officer, boatman, waterman, or watchman in the service of the Customs.			
(3.) Periodical re-admission or re-appointment to any office or employment of any person who has been once duly admitted to such office or employment.			
And see sections 29, 30, 33, 34, and 35.			
AFFIDAVIT, or STATUTORY DECLARATION made under the provisions of 5 & 6 Will. 4. c. 62 - - -	0	2	6
Exemptions.			
(1.) Affidavit made for the immediate purpose of being filed, read, or used in any court, or before any judge, master, or officer of any court.			
(2.) Affidavit or declaration made upon a requisition of the commissioners of any public board of revenue, or any of the officers acting under them.			

	£	s.	d.
(3.) Affidavit or declaration which may be required at the Bank of England or the Bank of Ireland to prove the death of any proprietor of any stock transferable there, or to identify the person of any such proprietor, or to remove any other impediment to the transfer of any such stock.			
(4.) Affidavit or declaration relating to the loss, mutilation, or defacement of any bank note or bank post bill.			
(5.) Declaration required to be made pursuant to any Act relating to marriages in order to a marriage without licence.			
AGREEMENT or CONTRACT, accompanied with a deposit. *See* Mortgage, &c., and section 107.			
AGREEMENT for a lease or tack, or for any letting. *See* Lease or Tack, and section 98.			
AGREEMENT or CONTRACT made or entered into pursuant to the Highway Acts for or relating to the making, maintaining, or repairing of highways - - - - -	0	0	6
AGREEMENT, or any MEMORANDUM of an AGREEMENT, made in England or Ireland under hand only, or made in Scotland without any clause of registration, and not otherwise specifically charged with any duty, whether the same be only evidence of a contract, or obligatory upon the parties from its being a written instrument - - - - -	0	0	6

Exemptions.

(1.) Agreement or memorandum whereby it appears that the matter thereof is not of the value of 5*l.*

(2.) Agreement or memorandum for the hire of any labourer, artificer, manufacturer, or menial servant.

(3.) Agreement, letter, or memorandum made for or relating to the sale of any goods, wares, or merchandise.

(4.) Agreement or memorandum made between the master and mariners of any ship or vessel for wages on any voyage coastwise from port to port in the United Kingdom.

And see section 36.

ALLOTMENT. *See* Letter of Allotment.

ANNUITY, conveyance in consideration of.
See Conveyance on Sale, and section 74.

purchase of.
See Conveyance on Sale, and section 77.

creation of, by way of security.
See Mortgage, &c., and section 110.

instruments relating to, upon any other occasion.
See Bond, Covenant, &c.

A.D. 1870.

	£	s.	d.
APPOINTMENT, whether by way of DONATION, PRESENTATION, or NOMINATION, and ADMISSION, COLLATION, or INSTITUTION to or LICENCE TO HOLD—			
Any ecclesiastical benefice, dignity, or promotion, or any perpetual curacy.			
If the net yearly value thereof exceeds—			
50*l.* and does not exceed 100*l.*	1	0	0
100*l.* „ „ 150*l.*	2	0	0
150*l.* „ „ 200*l.*	3	0	0
200*l.* „ „ 250*l.*	4	0	0
250*l.* „ „ 300*l.*	5	0	0
300*l.*	7	0	0
And also (if such yearly value exceeds 300*l.*) for every 100*l.* of such yearly value over and above 200*l.* a further duty of	5	0	0
Exemptions.			
Admission, collation, institution, or licence proceeding upon a duly stamped donation, presentation, or nomination.			
And see section 37.			
APPOINTMENT of a new trustee, and APPOINTMENT in execution of a power of any property, or of any use, share, or interest in any property, by deed, or by any writing not being a will	0	10	0
APPOINTMENT of a gamekeeper. *See* DEPUTATION.			
APPOINTMENTS to offices or employments. *See* ADMISSION.			
APPRAISEMENT or VALUATION of any property, or of any interest therein, or of the annual value thereof, or of any dilapidations, or of any repairs wanted, or of the materials and labour used or to be used in any building, or of any artificers work whatsoever.			
Where the amount of the appraisement or valuation does not exceed 5*l.*	0	0	3
Exceeds 5*l.* and does not exceed 10*l.*	0	0	6
„ 10*l.*			
For every 10*l.*, and also for any fractional part of 10*l.* of such amount	0	0	6
Exemptions.			
(1.) Appraisement or valuation made in pursuance of the order of any Court of Admiralty or Vice-Admiralty, or of any Court of Appeal, from any sentence, adjudication or judgment of any Court of Admiralty or Vice-Admiralty.			

	£	s.	d.
(2.) Appraisement or valuation of any property made for the purpose of ascertaining the legacy or succession duty payable in respect thereof.			
And see section 38.			
APPRENTICESHIP, Instrument of.			
Where there is no premium or consideration	0	2	6
In any other case—			
For every 5*l.*, and also for any fractional part of 5*l.*, of the amount or value of the premium or consideration	0	5	0
Exemptions.			
(1.) Instrument relating to any poor child apprenticed by, or at the sole charge of, any parish or township, or by or at the sole charge of any public charity, or pursuant to any Act for the regulation of parish apprentices.			
(2.) Instrument of apprenticeship in Ireland, where the value of the premium or consideration does not exceed 10*l.*			
And see sections 39 and 40.			
ARTICLES OF CLERKSHIP whereby any person first becomes bound to serve as a clerk in order to his admission.			
(1.) As an attorney or solicitor in any of Her Majesty's courts at Westminster or in Ireland, or as a proctor in the High Court of Admiralty, or any Ecclesiastical Court in England or Ireland	80	0	0
(2.) As an attorney or solicitor in any of the courts of the counties palatine of Lancaster and Durham, or as a writer to the signet, or as a solicitor, agent, or attorney in the court of session, justiciary, or commission of teinds in Scotland	60	0	0
(3.) As a procurator or solicitor in any inferior court in Scotland	0	2	6
And see sections 41, 42, 43, and 44.			
ARTICLES OF CLERKSHIP, whereby any person, having been before bound by duly stamped articles to serve as a clerk in order to his admission in any of the courts aforesaid, and not having completed his service so as to be entitled to such admission, becomes bound afresh for the same purpose	0	10	0
ASSIGNMENT or ASSIGNATION.			
By way of security, or of any security. *See* Mortgage, &c.			
Upon a sale, or otherwise. *See* Conveyance.			
ASSURANCE or INSURANCE. *See* Policy.			
ATTESTED COPY. *See* Copy.			
ATTORNEY, LETTER or POWER of. *See* Letter of Attorney. WARRANT of. *See* Warrant of Attorney.			

A.D. 1870.

	£	s.	d.
AWARD in England or Ireland, and AWARD or DECREET ARBITRAL in Scotland.			
Where the amount or value of the matter in dispute does not exceed 5*l.* - - - -	0	0	3
Exceeds 5*l.* and does not exceed 10*l.* - -	0	0	6
„ 10*l.*			
For every 10*l.*, and also for any fractional part of 10*l.*, of such amount or value - - -	0	0	6
BANK NOTE—			
For money not exceeding 1*l.* - - - -	0	0	5
Exceeding 1*l.* and not exceeding 2*l.* - - -	0	0	10
„ 2*l.* „ 5*l.* - - -	0	1	3
„ 5*l.* „ 10*l.* - -	0	1	9
„ 10*l.* „ 20*l.* - - -	0	2	0
„ 20*l.* „ 30*l.* - - -	0	3	0
„ 30*l.* „ 50*l.* - - -	0	5	0
„ 50*l.* „ 100*l.* - - -	0	8	6
And *see* sections 45, 46, and 47.			
BILL OF EXCHANGE—			
Drawn in the United Kingdom, and payable on demand in the United Kingdom, and not elsewhere - -	0	0	1
BILL OF EXCHANGE of any other kind whatsoever (*except a Bank Note*) and PROMISSORY NOTE of any kind whatsoever (*except a Bank Note*) drawn, or expressed to be payable, or actually paid, or endorsed, or in any manner negotiated in the United Kingdom:			
Where the amount or value of the money for which the bill or note is drawn or made does not exceed 5*l.* - - - - -	0	0	1
Exceeds 5*l.*, and does not exceed 10*l.* - -	0	0	2
„ 10*l.* „ 25*l.* - -	0	0	3
„ 25*l.* „ 50*l.* - -	0	0	6
„ 50*l.* „ 75*l.* - -	0	0	9
„ 75*l.* „ 100*l.* - -	0	1	0
„ 100*l.* „			
For every 100*l.*, and also for any fractional part of 100*l.*, of such amount or value - - -	0	1	0

Exemptions.

(1.) Bill or note issued by the Governor and Company of the Bank of England or Bank of Ireland.

(2.) Draft or order drawn by any banker in the United Kingdom upon any other banker in the United Kingdom, not payable to bearer or to order, and used solely for the purpose of settling or clearing any account between such bankers.

(3.) Letter written by a banker in the United Kingdom to any other banker in the United Kingdom, directing

£ s. d. A.D. 1870.

the payment of any sum of money, the same not being payable to bearer or to order, and such letter not being sent or delivered to the person to whom payment is to be made, or to any person on his behalf.

(4.) Letter of credit sent by a person in the United Kingdom to a person abroad authorizing drafts payable in the United Kingdom.

(5.) Draft or order drawn by the Accountant General of the Court of Chancery in England or Ireland.

(6.) Warrant or order for the payment of any annuity granted by the Commissioners for the Reduction of the National Debt, or for the payment of any dividend or interest on any share in the Government or Parliamentary Stocks or Funds.

(7.) Bill drawn by the Lords Commissioners of the Admiralty, or by any person under their authority, under the authority of any Act of Parliament upon and payable by the Accountant General of the Navy.

(8.) Bill drawn (according to a form prescribed by Her Majesty's orders by any person duly authorized to draw the same) upon and payable out of any public account for any pay or allowance of the army or other expenditure connected therewith.

(9.) Coupon or warrant for interest attached to and issued with any security.

And *see* sections 48, 49, 50, 51, 52, 53, 54, 55, 56, and 57.

BILL OF LADING of or for any goods, merchandise, or effects to be exported or carried coastwise - - - 0 0 6

And *see* section 58.

BILL OF SALE—

Absolute. *See* Conveyance on Sale.

By way of security. *See* Mortgage, &c.

And *see* section 59.

BOND for securing the payment or repayment of money or the transfer or retransfer of Stock.

See Mortgage, &c.

BOND in relation to any annuity upon the original creation and sale thereof.

See Conveyance on Sale, and section 77.

BOND, COVENANT, or INSTRUMENT of any kind whatsoever.

(1.) Being the only or principal or primary security for any annuity (*except upon the original creation thereof by way of sale or security*), or of any sum or sums of money at stated periods, not being interest for any principal sum secured by a duly stamped instrument, nor rent reserved by a lease or tack.

A.D. 1870.

For a definite and certain period, so that the total amount to be ultimately payable can be ascertained. — The same ad valorem duty as a bond or covenant for such total amount.

For the term of life or any other indefinite period.

For every 5*l.*, and also for any fractional part of 5*l.*, of the annuity or sum periodically payable - £ 0 2 6

(2.) Being a collateral or auxiliary or additional or substituted security for any of the above-mentioned purposes where the principal or primary instrument is duly stamped.

Where the total amount to be ultimately payable can be ascertained - - - - - - The same ad valorem duty as a bond or covenant of the same kind for such total amount.

In any other case - - - - - - - -

For every 5*l.*, and also for any fractional part of 5*l.*, of the annuity or sum periodically payable - - - £ 0 0 6

BOND given pursuant to the directions of any Act of Parliament, or by the directions of the Commissioners of Customs or Inland Revenue, or any of their officers, for or in respect of any of the duties of customs or excise, or for preventing frauds or evasions thereof, or for any other matter or thing relating thereto.

Where the penalty of the bond does not exceed 150*l.* - - The same ad valorem duty as a bond for the amount of the penalty.

And in any other case - - - - - - £ 0 5 0

Exemption.

Bond given as aforesaid upon, or with relation to, the receiving or obtaining, or for entitling any person to receive or obtain, any drawback of any duty or duties, or part of any duty or duties, of customs or excise, for or in respect of any goods, wares, or merchandise exported or shipped to be exported from the United Kingdom to any parts beyond the seas, or upon or with relation to the obtaining of any debenture or certificate for entitling any person to receive any such drawback as aforesaid.

And *see* section 60.

BOND on obtaining letters of administration in England or Ireland, or a confirmation of testament in Scotland - - £ 0 5 0

Exemptions.

(1.) Bond given by the widow, child, father, mother, brother or sister, of any common seaman, marine or soldier, slain or dying in the service of Her Majesty, her heirs, or successors.

(2.) Bond given by any person where the estate to be administered does not exceed 100*l.* in value.

BOND of any kind whatsoever not specifically charged with any duty:

		£	s.	d.
Where the amount limited to be recoverable does not exceed 300*l.*	The same ad valorem duty as a bond for the amount limited.			
In any other case		0	10	0

BOND, accompanied with a deposit of title deeds, for making a mortgage, wadset, or other security, on any estate or property therein comprised.

See MORTGAGE, &c., and section 107.

BOND, DECLARATION, or other DEED or WRITING, for making redeemable any disposition, assignation, or tack, apparently absolute, but intended only as a security.

See MORTGAGE, &c., and section 107.

CERTIFICATE to be taken out yearly—

(1.) By every person admitted or inrolled in England or Ireland as an attorney, solicitor, proctor, or notary public.

(2.) By every person admitted or inrolled in Scotland as a writer to the signet, solicitor, agent, attorney, procurator, or notary public.

(3.) By every other legally qualified person who carries on business in England or Ireland as a conveyancer, special pleader, or draftsman in equity, and is obliged by law to take out such a certificate.

If such person practises or carries on his business	If he has been admitted or inrolled, or has carried on business, for three years or upwards.	If he has not been so long admitted or inrolled, or has not so long carried on business.
In England, within ten miles from the General Post Office in the City of London In Scotland, within the City or Shire of Edinburgh In Ireland, in the City of Dublin, or within three miles therefrom	£ 9 0 0	£ 4 10 0
In England, Scotland, or Ireland, beyond the above-mentioned limits	£ 6 0 0	£ 3 0 0

And *see* sections 61, 62, 63, 64, 65, and 66.

A.D. 1870.

	£	s.	d.	
CERTIFICATE of any goods, wares or merchandise, having been duly entered inwards, which shall be entered outwards for exportation at the port of importation, or be removed from thence to any other port for the more convenient exportation thereof, where such certificate is issued for enabling any person to obtain a debenture or certificate entitling him to receive any drawback of any duty or duties of customs or any part thereof - - - - - - -	0	4	0	5
CERTIFICATE of the registration of a design - - - And *see* section 67.	5	0	0	10
CHARTER of resignation, or of confirmation, or of novodamus, or upon apprising, or upon a decreet of adjudication, or sale of any lands, or other heritable subjects in Scotland - -	0	5	0	
CHARTER PARTY, or any agreement or contract for the charter of any ship or vessel, or any memorandum, letter or other writing, between the captain, master, or owner of any ship or vessel, and any other person, for or relating to the freight or conveyance of any money, goods or effects on board of such ship or vessel - - - - - - And *see* sections 68, 69, and 70.	0	0	6	15 20
CLARE CONSTAT. *See* PRECEPT.				
COLLATION. *See* APPOINTMENT, &c. to ecclesiastical benefices.				
COMMISSION granted by Her Majesty, Her heirs or successors, or by any person or persons duly authorized by her or them, to any officer in the army, or in the corps of Royal Marines - - - - - - - -	1	10	0	25
COMMISSION granted by the Lords Commissioners of the Admiralty to any officer in the navy - - -	0	5	0	30
COMMISSION or DEPUTATION granted by the Commissioners of Inland Revenue - - - - -	1	10	0	
COMMISSION OF LUNACY - - - -	0	5	0	
COMMISSION to act as a notary public in Scotland. *See* FACULTY.				35
COMMISSION in the nature of a power of attorney in Scotland. *See* LETTER OR POWER OF ATTORNEY.				
CONDITIONAL SURRENDER of any Copyhold or customary estate by way of mortgage. *See* MORTGAGE, &c., and sections 107 and 112.				40
CONGÉ D'ÉLIRE. *See* GRANT.				
CONSTAT of Letters Patent. *See* EXEMPLIFICATION.				
CONTRACT. *See* AGREEMENT.				

A.D. 1870.

	£	s.	d.
CONTRACT NOTE—Any note, memorandum, or writing for or relating to the sale or purchase of any stock or marketable security of the value of 5*l.* or upwards - - -	0	0	1
And *see* section 71.			
CONVEYANCE or TRANSFER, whether on sale or otherwise—			
(1.) Of any stock of the Governor and Company of the Bank of England - - - - -	0	7	9
(2.) Of any stock of the East India Company - -	1	10	0
(3.) Of any debenture stock or funded debt of any company or corporation.			
For every 100*l.*, and also for any fractional part of 100*l.*, of the nominal amount transferred -	0	2	6
CONVEYANCE or TRANSFER on sale.			
Of any property (*except such stock or debenture stock or funded debt as aforesaid*).			
Where the amount or value of the consideration for the sale does not exceed 5*l.* - - - -	0	0	6
Exceeds 5*l.*, and does not exceed 10*l.* - -	0	1	0
„ 10*l.* „ 15*l.* - -	0	1	6
„ 15*l.* „ 20*l.* - -	0	2	0
„ 20*l.* „ 25*l.* - -	0	2	6
„ 25*l.* „ 50*l.* - -	0	5	0
„ 50*l.* „ 75*l.* - -	0	7	6
„ 75*l.* „ 100*l.* - -	0	10	0
„ 100*l.* „ 125*l.* - -	0	12	6
„ 125*l.* „ 150*l.* - -	0	15	0
„ 150*l.* „ 175*l.* - -	0	17	6
„ 175*l.* „ 200*l.* - -	1	0	0
„ 200*l.* „ 225*l.* - -	1	2	6
„ 225*l.* „ 250*l.* - -	1	5	0
„ 250*l.* „ 275*l.* - -	1	7	6
„ 275*l.* „ 300*l.* - -	1	10	0
„ 300*l.*			
For every 50*l.*, and also for any fractional part of 50*l.* of such amount or value - - - -	0	5	0
And *see* sections 72, 73, 74, 75, 76, 77, 78, and 79.			
CONVEYANCE or TRANSFER by way of security of any property (*except such stock, or debenture stock, or funded debt as aforesaid*), or of any security.			
See MORTGAGE, &c.			
CONVEYANCE or TRANSFER of any kind not hereinbefore described - - - - -	0	10	0
And *see* section 80.			

A.D. 1870.

	£	s.	d.
COPY or EXTRACT (*attested or in any manner authenticated*) of or from—			
(1.) An instrument chargeable with any duty.			
(2.) An original will, testament, or codicil.			
(3.) The probate or probate copy of a will or codicil.			
(4.) Any letters of administration or any confirmation of a testament.			
(5.) Any public register (*except any register of births, baptism, marriages, deaths, or burials*).			
(6.) The books, rolls, or records of any court.			
In the case of an instrument chargeable with any duty not amounting to one shilling - -	The same duty as such instrument.		
In any other case - - - - -	0	1	0
Exemptions.			
(1.) Copy or extract of or from any law proceedings.			
(2.) Copy or extract in Scotland of or from the commission of any person as a delegate or representative to the convention of royal burghs or the general assembly or any presbytery or church court.			
And *see* section 81.			
COPY or EXTRACT (*certified*) of or from any register of births, baptisms, marriages, deaths, or burials - -	0	0	1
Exemptions.			
(1.) Copy or extract furnished by any clergyman, registrar, or other official person pursuant to and for the purposes of any Act of Parliament, or furnished to any general or superintending registrar under any general regulation.			
(2.) Copy or extract for which the person giving the same is not entitled to any fee or reward.			
And *see* section 82.			
COPYHOLD and CUSTOMARY ESTATES—Instruments relating thereto.			
Upon a sale thereof. *See* CONVEYANCE ON SALE.			
Upon a mortgage thereof. *See* MORTGAGE, &c.			
Upon a demise thereof. *See* LEASE OR TACK.			
Upon any other occasion.			
Surrender or grant made out of court, or the memorandum thereof,			
and Copy of court roll of any surrender or grant made in Court - - - - -	0	10	0
And *see* sections 83, 84, 85, 86, 87, and 88.			
COST BOOK MINES. *See* TRANSFER.			
COUNTERPART. *See* DUPLICATE.			
COVENANT for securing the payment or repayment of money, or the transfer or retransfer of stock.			
See MORTGAGE, &c.			

A.D. 1870.

	£	s.	d.
COVENANT in relation to any annuity upon the original creation and sale thereof. *See* CONVEYANCE ON SALE, and section 77.			
COVENANT in relation to any annuity (*except upon the original creation and sale thereof*) or to other periodical payments. *See* BOND, COVENANT, &c.			
COVENANT. Any separate deed of covenant (*not being an instrument chargeable with ad valorem duty as a conveyance on sale or mortgage*) made on the sale or mortgage of any property, and relating solely to the conveyance or enjoyment of, or the title to, the property sold or mortgaged, or to the production of the muniments of title relating thereto, or to all or any of the matters aforesaid.			
Where the ad valorem duty in respect of the consideration or mortgage money does not exceed 10*s.*	A duty equal to the amount of such ad valorem duty.		
In any other case	0	10	0
CURACY (*Perpetual*) licence to hold. Nomination to. *See* APPOINTMENT, &c. to ecclesiastical benefices.			
CUSTOMARY ESTATES. *See* COPYHOLD.			
DEBENTURE for securing the payment or repayment of money or the transfer or retransfer of stock. *See* MORTGAGE, &c.			
DEBENTURE or CERTIFICATE for entitling any person to receive any drawback of any duty or duties, or part of any duty or duties, of customs or excise, or any bounty payable out of the revenue of customs or excise, for or in respect of any goods, wares, or merchandise, exported or shipped to be exported from any part of the United Kingdom to any part beyond the sea.			
Where the drawback or bounty to be received does not exceed 10*l.*	0	1	0
Exceeds 10*l.* and does not exceed 50*l.*	0	2	6
Exceeds 50*l.*	0	5	0
DECLARATION of any use or trust of or concerning any property by any writing, not being a deed or will, or an instrument chargeable with ad valorem duty as a settlement	0	10	0
DECLARATION (*Statutory*). *See* AFFIDAVIT.			
DECREET ARBITRAL. *See* AWARD.			
DEED whereby any real burden is declared or created on lands or heritable subjects in Scotland. *See* MORTGAGE, &c., and section 107.			

A.D. 1870.

	£	s.	d.
DEED containing an obligation to infeft any person in heritable subjects in Scotland, under a clause of reversion, as a security for money. *See* MORTGAGE, &c., and section 107.			5
DEED containing an obligation to infeft or seize in an annuity to be uplifted out of heritable subjects in Scotland. *See* BOND, COVENANT, &c.			
DEED of any kind whatsoever, not described in this schedule -	0	10	0
DEFEAZANCE. Deed or other instrument of defeazance of any conveyance, disposition, assignation, or tack, apparently absolute, but intended only as a security for money or stock. *See* MORTGAGE, &c. and section 107.			10
DELIVERY ORDER - - - - -	0	0	1
And *see* sections 89, 91, 92, and 93.			15
DEPOSIT of title deeds. *See* MORTGAGE, &c., and section 107.			
DEPUTATION by the Commissioners of Inland Revenue. *See* COMMISSION.			
DEPUTATION or APPOINTMENT of a gamekeeper -	0	10	0
DISPENSATION. *See* FACULTY.			20
DISPOSITION of heritable property in Scotland to singular successors or purchasers. *See* CONVEYANCE ON SALE.			
DISPOSITION of heritable property in Scotland to a purchaser, containing a clause declaring all or any part of the purchase money a real burden upon, or affecting, the heritable property thereby disponed or any part thereof. *See* CONVEYANCE ON SALE. MORTGAGE, &c., and section 107.			25
DISPOSITION in security in Scotland. *See* MORTGAGE, &c.			30
DISPOSITION of any wadset, heritable bond, &c. *See* MORTGAGE, &c.			
DISPOSITION in Scotland of any property or of any right or interest therein not described in this schedule - -	0	10	0
DOCK WARRANT. *See* WARRANT FOR GOODS.			35
DOCKET made on passing any instrument under the Great Seal of the United Kingdom - - - - -	0	2	0
DONATION of any ecclesiastical benefice, dignity, or promotion. *See* APPOINTMENT, &c. to ecclesiastical benefices.			40
DRAFT for money. *See* BILL OF EXCHANGE, and section 48.			
DUPLICATE or COUNTERPART of any instrument chargeable with any duty.			
Where such duty does not amount to 5*s.* - -	The same duty as the original instrument.		45
In any other case - - - - -	0	5	0
And *see* section 95.			

A.D. 1870.

	£	s.	d.
ECCLESIASTICAL BENEFICE. *See* Appointment, &c. to ecclesiastical benefices.			
EIK to a reversion. *See* Mortgage, &c., and section 107.			
EXCHANGE or EXCAMBION. *See* section 96.			
EXEMPLIFICATION or CONSTAT, under the Great Seal of the United Kingdom of Great Britain and Ireland of any letters patent or grant made or to be made by Her Majesty, her heirs or successors, or by any of her royal predecessors of any honour, dignity, promotion, franchise, liberty or privilege, or of any lands, office, or other thing whatsoever -	5	0	0
EXEMPLIFICATION under the seal of any court in England or Ireland, of any record or proceeding therein - -	3	0	0
EXTRACT. *See* Copy or Extract.			
FACTORY, in the nature of a letter or power of attorney in Scotland. *See* Letter or Power of Attorney.			
FACULTY, LICENCE, COMMISSION, or DISPENSATION for admitting or authorizing any person to act as a notary public:			
In England - - - - - - -	30	0	0
In Scotland or Ireland - - - - -	20	0	0
FACULTY or DISPENSATION of any other kind:			
In England - - - - - - -	30	0	0
In Ireland - - - - - - -	25	0	0
FOREIGN SECURITY. *See* Mortgage, &c., and sections 115, 116, and 117.			
FURTHER CHARGE or FURTHER SECURITY. *See* Mortgage, &c., and section 111.			
GRANT or LETTERS PATENT under the Great Seal of the United Kingdom of Great Britain and Ireland, or of the Great Seal of Ireland, or the Seal of the Duchy or County Palatine of Lancaster, or under the Seal kept and used in Scotland in place of the Great Seal formerly used there:			
(1.) Of the honour or dignity of a duke - - -	350	0	0
„ „ of a marquis - - -	300	0	0
„ „ of an earl - - -	250	0	0
„ „ of a viscount - -	200	0	0
„ „ of a baron - - -	150	0	0
„ „ of a baronet - -	100	0	0

	£	s.	d.
(2.) Of a congé d'élire to any dean and chapter for the election of an archbishop or bishop - -			
(3.) Of the Royal Assent to, or signification of, the election made by any dean and chapter, or of the nomination and presentation by Her Majesty, her heirs, or successors, in default of such election of any person to be an archbishop or bishop - -	30	0	0
(4.) Of or for the restitution of the temporalities to any archbishop or bishop - - - -			
(5.) Of any other honour, dignity, or promotion whatsoever			
(6.) Of any franchise, liberty, or privilege to any person or body politic or corporate - - - -			

Exemptions.

(1.) Commissions of rebellion in process.

(2.) Letters Patent or briefs for collecting charitable benevolences.

(3.) Letters Patent for confirming any dispensation hereinbefore charged with duty.

(4.) Letters Patent appointing sheriffs in England or Ireland, and the writs of assistance accompanying such Letters Patent.

And *see* section 97.

GRANT or WARRANT OF PRECEDENCE to take rank among nobility, under the sign manual of Her Majesty, her heirs, or successors - - - - - - - 100 0 0

GRANT or LICENCE under the sign manual to take and use a surname and arms, or a surname only.

In compliance with the injunctions of any will or settlement - - - - - - - - 50 0 0

Upon any voluntary application - - - - - 10 0 0

GRANT of arms or armorial ensigns only, under the sign manual, or by any of the Kings of Arms of England, Scotland, or Ireland - - - - - - - 10 0 0

GRANT of copyhold or customary estates. *See* CONVEYANCE—COPYHOLD.

GRANT of the custody of the person or estate of any lunatic - 2 0 0

HERITABLE BOND. *See* MORTGAGE, &c., and section 107.

INSTITUTION. *See* APPOINTMENT, &c. to ecclesiastical benefices.

INVENTORY. *See* SCHEDULE.

LEASE or TACK—	£	s.	d.
(1.) For any definite term less than a year:			
(*a*) Of any dwelling-house or tenement, or part of a dwelling-house or tenement, at a rent not exceeding the rate of 10*l.* per annum - - - -	0	0	1
(*b*) Of any furnished dwelling-house or apartments where the rent for such term exceeds 25*l.* - - -	0	2	6
(*c*) Of any lands, tenements, or heritable subjects except or otherwise than as aforesaid - - -	The same duty as a lease for a year at the rent reserved for the definite term.		
(2.) For any other definite term or for any indefinite term:			
Of any lands, tenements, or heritable subjects—			
Where the consideration, or any part of the consideration, moving either to the lessor or to any other person, consists of any money, stock, or security:			
In respect of such consideration - - -	The same duty as a conveyance on a sale for the same consideration.		
Where the consideration or any part of the consideration is any rent:			
In respect of such consideration:			
If the rent, whether reserved as a yearly rent or otherwise, is at a rate or average rate:			

	If the term is definite, and does not exceed 35 years, or is indefinite.			If the term being definite exceeds 35 years, but does not exceed 100 years.			If the term being definite exceeds 100 years.		
	£	s.	d.	£	s.	d.	£	s.	d.
Not exceeding 5*l.* per annum	0	0	6	0	3	0	0	6	0
Exceeding—									
5*l.* and not exceeding 10*l.*	0	1	0	0	6	0	0	12	0
10*l.* „ „ 15*l.*	0	1	6	0	9	0	0	18	0
15*l.* „ „ 20*l.*	0	2	0	0	12	0	1	4	0
20*l.* „ „ 25*l.*	0	2	6	0	15	0	1	10	0
25*l.* „ „ 50*l.*	0	5	0	1	10	0	3	0	0
50*l.* „ „ 75*l.*	0	7	6	2	5	0	4	10	0
75*l.* „ „ 100*l.*	0	10	0	3	0	0	6	0	0
100*l.* For every full sum of 50*l.*, and also for any fractional part of 50*l.*, thereof -	0	5	0	1	10	0	3	0	0

(3.) Of any other kind whatsoever not herein-before described 0 10 0

And *see* sections 98, 99, 100, 101, and 102.

A.D. 1870.

	£	s.	d.
LETTER OF ALLOTMENT or LETTER OF RENUNCIATION, or any other document having the effect of a letter of allotment.			
(1.) Of any share of any company or proposed company.			5
(2.) In respect of any loan raised, or proposed to be raised, by any company or proposed company, or by any municipal body or corporation.			
(3.) Issued or delivered in the United Kingdom, of any share of any foreign or colonial company or proposed company, or in respect of any loan raised or proposed to be raised by or on behalf of any foreign or colonial state, government, municipal body, corporation, or company.	0	0	1
And SCRIP CERTIFICATE, SCRIP, or other document.			
(1.) Entitling any person to become the proprietor of any share of any company or proposed company.			
(2.) Issued or delivered in the United Kingdom, and entitling any person to become the proprietor of any share of any foreign or colonial company or proposed company.			
(3.) Denoting, or intended to denote, the right of any person as a subscriber in respect of any loan raised or proposed to be raised by any company or proposed company, or by any municipal body or corporation.	0	0	1
(4.) Issued or delivered in the United Kingdom, and denoting, or intended to denote, the right of any person as a subscriber in respect of any loan raised or proposed to be raised by or on behalf of any foreign or colonial state, government, municipal body, corporation, or company.			
And *see* section 103.			
LETTER OR POWER OF ATTORNEY, or COMMISSION, FACTORY, MANDATE, or other instrument in the nature thereof.			
(1.) For the sole purpose of appointing or authorizing any one person to vote as a proxy at one meeting of the proprietors or shareholders of any company, or of the members of any society or institution, or of the contributors to the funds thereof, or at one meeting of any body exercising a public trust in the United Kingdom, or at one parish meeting of heritors or proprietors of real or heritable property in Scotland	0	0	1

A.D. 1870.

	£	s.	d.
(2.) By any petty officer, seaman, marine or soldier serving as a marine, or by the executors or administrators of any such person for receiving prize money or wages - - - - -	0	1	0
(3.) For the receipt of the dividends or interest of any stock :			
Where made for the receipt of one payment only	0	1	0
In any other case - - -	0	5	0
(4.) For the receipt of any sum of money, or any bill of exchange or promissory note for any sum of money, not exceeding 20*l.*, or any periodical payments not exceeding the annual sum of 10*l.* (*not being herein-before charged*) - - - -	0	5	0
(5.) For the sale, transfer, or acceptance of any of the government or parliamentary stocks or funds :			
Where the value of such stocks or funds does not exceed 20*l.* - - - -	0	5	0
In any other case - - - -	0	10	0
(6.) Of any kind whatsoever not herein-before described -	0	10	0

Exemptions.

(1.) Letter or power of attorney for the receipt of dividends of any definite and certain share of the government or parliamentary stocks or funds producing a yearly dividend of less than 3*l.*

(2.) Letter or power of attorney or proxy filed in the Court of Probate in England or Ireland, or in any Ecclesiastical Court.

(3.) Letter or power of attorney for voting on any election of directors of the East India Company.

And *see* sections 104, 105, and 106.

LETTERS OF MARQUE AND REPRISAL - -	5	0	0
LETTERS PATENT. *See* GRANT.			
LETTER OF REVERSION in Scotland. *See* MORTGAGE, &c., and section 107.			
LICENCE for Marriage.			
Special—			
In England or Ireland - - -	5	0	0
Not special—			
In England - - - - - -	0	10	0

	£	s.	d.
LICENCE under the seal of any archbishop, bishop, chancellor, or other ordinary, or by any ecclesiastical court in England or Ireland, or by any presbytery or other ecclesiastical power in Scotland.			
(1.) To hold the office of lecturer, reader, chaplain, church clerk, chapel clerk, parish clerk, or sexton - -			
(2.) For licensing a building for the performance of divine service within an ecclesiastical district formed under the provisions of The New Parishes Act - - - - -			
(3.) For licensing any chapel for the solemnization of marriages therein, pursuant to the provisions of the Act 6 & 7 Will. 4. c. 85 - - -	0	10	0
(4.) For licensing or authorizing any matter relating to a consecrated building or ground, or anything to be constructed, set up, taken down, or altered therein, or to be removed therefrom - - -			
(5.) For any other purpose (*except a licence to hold a perpetual curacy*) - - - - -	2	0	0

Exemptions.

(1.) Licence granted to any spiritual person to perform divine service in any building approved by the archbishop or bishop in lieu of any church or chapel, whilst the same is under repair, or is rebuilding, or in any building so approved for the convenience of the inhabitants of a parish resident at a distance from the church or consecrated chapel.

(2.) Licence to a stipendiary curate, wherein the annual amount of the stipend is specified.

(3.) Licence for the purpose of authorizing or enabling any person to preach or exercise any other spiritual function, not being a licence to hold the office of lecturer, reader, or chaplain, and there being no salary or emolument for or attached to the exercise of the function for which such licence is granted.

LICENCE to act as a notary public. *See* FACULTY.

LICENCE to use surname or arms. *See* GRANT.

MARRIAGE LICENCE. *See* LICENCE.

A.D. 1870.

	£	s.	d.
MEMORIAL to be registered pursuant to any Act of Parliament, made or to be made, for the public registering of deeds and conveyances in England or Ireland:			
Where the instrument registered is chargeable with any duty not amounting to 2*s.* 6*d.* - - - - - The same duty as the registered instrument.			
In any other case - - - - - -	0	2	6
MORTGAGE, BOND, DEBENTURE, COVENANT, WARRANT OF ATTORNEY to confess and enter up judgment, and FOREIGN SECURITY of any kind.			
(1.) Being the only or principal or primary security for—			
The payment or repayment of money not exceeding 25*l.* - - - - -	0	0	8
Exceeding 25*l.*, and not exceeding 50*l.* -	0	1	3
„ 50*l.* „ 100*l.* - -	0	2	6
„ 100*l.* „ 150*l.* - -	0	3	9
„ 150*l.* „ 200*l.* - -	0	5	0
„ 200*l.* „ 250*l.* - -	0	6	3
„ 250*l.* „ 300*l.* - -	0	7	6
„ 300*l.*			
For every 100*l.*, and also for any fractional part of 100*l.*, of such amount - - -	0	2	6
(2.) Being a collateral, or auxiliary, or additional, or substituted security, or by way of further assurance for the above-mentioned purpose where the principal or primary security is duly stamped:			
For every 100*l.*, and also for any fractional part of 100*l.*, of the amount secured - -	0	0	6
(3.) TRANSFER, ASSIGNMENT, DISPOSITION or ASSIGNATION of any mortgage, bond, debenture, covenant or foreign security, or of any money or stock secured by any such instrument, or by any warrant of attorney to enter up judgment, or by any judgment:			
For every 100*l.*, and also for any fractional part of 100*l.*, of the amount transferred, assigned, or disponed - - - - -	0	0	6
And also where any further money is added to the money already secured - - - The same duty as a principal security for such further money.			

A.D. 1870.

	£	s.	d.
(4.) RECONVEYANCE, RELEASE, DISCHARGE, SURRENDER, RESURRENDER, WARRANT TO VACATE, or RENUNCIATION of, any such security as aforesaid, or of the benefit thereof, or of the money thereby secured:			
For every 100*l.*, and also for any fractional part of 100*l.*, of the total amount or value of the money at any time secured - - -	0	0	6
And *see* sections 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, and 117.			
MUTUAL DISPOSITION or Conveyance in Scotland. *See* section 96.			
NOTARIAL ACT of any kind whatsoever (*except a protest of a bill of exchange or promissory note, or any notarial instrument to be expeded and recorded in any register of sasines*) - - - - - -	0	1	0
And *see* PROTEST, SEISIN, and section 118.			
ORDER for the payment of money. *See* BILL OF EXCHANGE and section 48.			
PARTITION or DIVISION. *See* section 96.			
PASSPORT - - - - - - - - -	0	0	6
PERPETUAL CURACY. *See* APPOINTMENT, &c. to Ecclesiastical Benefices.			
POLICY OF INSURANCE—			
(1.) Upon any life or lives, or upon any event or contingency relating to or depending upon any life or lives (*except for the payment of money upon the death of any person only from accident or violence, or otherwise than from a natural cause*):			
Where the sum insured does not exceed 10*l.* -	0	0	1
Exceeds 10*l.*, but does not exceed 25*l.* - -	0	0	3
Exceeds 25*l.*, but does not exceed 500*l.*:			
For every full sum of 50*l.*, and also for any fractional part of 50*l.*, of the amount insured -	0	0	6
Exceeds 500*l.*, but does not exceed 1,000*l.*:			
For every full sum of 100*l.*, and also for any fractional part of 100*l.* of the amount insured -	0	1	0
Exceeds 1,000*l.*:			
For every full sum of 1,000*l.*, and also for any fractional part of 1,000*l.*, of the amount insured	0	10	0
(2.) For any payment agreed to be made upon the death of any person, only from accident or violence, or otherwise than from a natural cause, or as compensation for personal injury, or by way of indemnity against loss or damage of or to any property - -	0	0	1
And *see* sections 119, 120 and 121.			

A.D. 1870.

	£	s.	d.
POWER OF ATTORNEY. *See* LETTER OF ATTORNEY.			
PRECEPT OF CLARE CONSTAT to give seisin of lands or other heritable subjects in Scotland - - - - -	0	5	0
PRESENTATION to any ecclesiastical benefice, dignity, or promotion. *See* APPOINTMENT, &c. to Ecclesiastical Benefices.			
PROCURATION, deed, or other instrument of - - -	0	10	0
PROMISSORY NOTE. *See* BANK NOTE, BILL OF EXCHANGE, and section 49.			
PROTEST of any bill of exchange or promissory note:			
Where the duty on the bill or note does not exceed 1*s.* -	The same duty as the bill or note.		
In any other case - - - - - -	0	1	0
And *see* section 118.			
PROXY. *See* LETTER OR POWER OF ATTORNEY.			
RECEIPT given for, or upon the payment of, money amounting to 2*l.* or upwards - - - - - -	0	0	1

Exemptions.

(1.) Receipt given for money deposited in any bank, or with any banker, to be accounted for and expressed to be received of the person to whom the same is to be accounted for,

(But if to be accounted for with interest, *see* BILL OF EXCHANGE, and section 49.)

(2.) Receipt given for or upon the payment of any parliamentary taxes or duties, or of money to or for the use of Her Majesty.

(3.) Receipt given by the Accountant General of the Navy for any money received by him for the service of the navy.

(4.) Receipt given by any agent for money imprested to him on account of the pay of the army.

(5.) Receipt given by any officer, seaman, marine or soldier, or his representatives, for or on account of any wages, pay or pension, due from the Admiralty or Army pay office.

(6.) Receipt given for the consideration money for the purchase of any share in any of the Government or parliamentary stocks or funds, or in stock of the East India Company, or in the stocks and funds of the Secretary of State in Council of India, or of the Governor and Company of the Bank of England, or of the Bank of Ireland, or for any dividend

A.D. 1870.

	£	s.	d.
paid on any share of the said stocks or funds respectively.			
(7.) Receipt given for any principal money or interest due on an exchequer bill.			
(8.) Receipt written upon a bill of exchange or promissory note duly stamped.			
(9.) Receipt given upon any bill or note of the Governor and Company of the Bank of England or the Bank of Ireland.			
(10.) Receipt indorsed or otherwise written upon or contained in any instrument liable to stamp duty, and duly stamped, acknowledging the receipt of the consideration money therein expressed, or the receipt of any principal money, interest, or annuity thereby secured or therein mentioned.			
(11.) Receipt given for drawback or bounty upon the exportation of any goods or merchandise from the United Kingdom.			
(12.) Receipt given for the return of any duties of customs upon certificates of over entry.			
(13.) Receipt endorsed upon any bill drawn by the Lords Commissioners of the Admiralty, or by any person under their authority, or under the authority of any Act of Parliament upon and payable by the Accountant General of the Navy.			
And *see* sections 122, 123, 124, and 125.			
RECONVEYANCE, RELEASE, or RENUNCIATION of any security. *See* MORTGAGE, &c.			
RELEASE or RENUNCIATION of any property, or of any right or interest in any property—			
Upon a sale. *See* CONVEYANCE ON SALE.			
By way of security. *See* MORTGAGE, &c.			
In any other case - - - - - -	0	10	0
RENUNCIATION. *See* RECONVEYANCE and RELEASE.			
RESIGNATION. Principal or original instrument of resignation, or service of cognition of heirs, or charter or seisin of any houses, lands, or other heritable subjects in Scotland, holding burgage, or of burgage tenure - - -	0	5	0
And Instrument of resignation of any lands or other heritable subjects in Scotland not of burgage tenure - - -	0	5	0
REVOCATION of any use or trust of any property by deed, or by any writing, not being a will - - - -	0	10	0

A.D. 1870.

	£	s.	d.
SCHEDULE, INVENTORY, or document of any kind whatsoever, referred to in or by, and intended to be used or given in evidence as part of, or as material to, any other instrument charged with any duty, but which is separate and distinct from, and not endorsed on or annexed to, such other instrument:			
Where such other instrument is chargeable with any duty not exceeding 10*s.* - - - - - -	The same duty as such other instrument.		
In any other case - - - - - -	0	10	0

Exemptions.

(1.) Printed proposals published by any corporation or company respecting insurances, and referred to in or by any policy of insurance issued by such corporation or company.

(2.) Any public map, plan, survey, apportionment, allotment, award, and other parochial or public document and writing, made under or in pursuance of any Act of Parliament, and deposited or kept for reference in any registry, or in any public office, or with the public books, papers, or writings of any parish.

SCRIP CERTIFICATE or SCRIP. *See* LETTER OF ALLOTMENT.

SEISIN. Instrument of seisin given upon any charter, precept of clare constat, or precept from chancery, or upon any wadset, heritable bond, disposition, apprizing, adjudication or otherwise of any lands or heritable subjects in Scotland, not of burgage tenure - - - - -	0	5	0
And any NOTARIAL INSTRUMENT to be expeded and recorded in any register of sasines - - - -	0	5	0
SETTLEMENT. Any instrument, whether voluntary or upon any good or valuable consideration, other than a bonâ fide pecuniary consideration, whereby any money, stock, or security is settled or agreed to be settled in any manner whatsoever:			
For every 100*l.*, and also for any fractional part of 100*l.*, of the amount or value of the property settled or agreed to be settled - - - - - - -	0	5	0

Exemption.

Instrument of appointment relating to any property in favour of persons specially named or described as the objects of a power of appointment, created by a previous settlement stamped with ad valorem duty in respect of the same property, or by will, where probate duty

A.D. 1870.

	£	s.	d.
has been paid in respect of the same property as personal estate of the testator.			
And *see* sections 126, 127, 128, and 129.			
SHARE WARRANT issued under the provisions of "The Companies Act, 1867."			5
See section 33 of that Act, CONVEYANCE ON SALE, and section 130 of this Act.			
SURRENDER—			
Of copyholds. *See* COPYHOLD.			10
Of any other kind whatsoever not chargeable with duty as a conveyance on sale or mortgage - - - -	0	10	0
TACK of Lands, &c. in Scotland. *See* LEASE or TACK.			
TACK IN SECURITY. *See* MORTGAGE, &c.			
TRANSFER. *See* CONVEYANCE or TRANSFER.			15
TRANSFER. Any request or authority to the purser or other officer of any mining company, conducted on the cost book system, to enter or register any transfer of any share, or part of a share, in any mine, or any notice to such purser or officer of any such transfer - - - - -	0	0	6
And *see* section 131.			20
VALUATION. *See* APPRAISEMENT.			
VOTING PAPER. Any instrument for the purpose of voting by any person entitled to vote at any meeting of the proprietors or shareholders of any company, or of the members of any society or institution, or of the contributors to the funds thereof, or of any body exercising a public trust, or at a parish meeting of heritors or proprietors of real or heritable property in Scotland - - - - -	0	0	1
And *see* section 104.			25
WADSET. *See* MORTGAGE, &c.			
WARRANT OF ATTORNEY to confess and enter up a judgment given as a security for the payment or repayment of money or for the transfer or retransfer of stock.			
See MORTGAGE, &c.			30
WARRANT OF ATTORNEY of any other kind - -	0	10	0
WARRANT FOR GOODS - - - - -	0	0	3

Exemptions.

(1.) Any document or writing given by any inland carrier acknowledging the receipt of goods conveyed by such carrier.

(2.) A weight note issued together with a duly stamped warrant, and relating solely to the same goods, wares, or merchandise.

And *see* sections 90, 91, and 94.

35

40

45

	£	s.	d.
WARRANT under the sign manual of Her Majesty, her heirs or successors - - - - -	0	10	0
WRIT—			
(1.) Of ACKNOWLEDGMENT under "The Registration of Leases (*Scotland*) Act."			
(2.) Of ACKNOWLEDGMENT by any person infeft of lands in Scotland in favour of the heir or disponee of a creditor fully vested in right of an heritable security constituted by infeftment.	0	5	0
(3.) Of RESIGNATION, CONFIRMATION, CLARE CONSTAT, or INVESTITURE under "The Titles to Land Consolidation (*Scotland*) Act, 1868" - - -			

GENERAL EXEMPTIONS FROM ALL STAMP DUTIES.

(1.) Transfers of shares in the Government or parliamentary stocks or funds.

(2.) Instruments for the sale, transfer, or other disposition either absolutely or by way of mortgage, or otherwise, of any ship or vessel, or any part, interest, share, or property of or in any ship or vessel.

(3.) Instruments of apprenticeship, bonds, contracts, and agreements, entered into in the United Kingdom for or relating to the service in any of Her Majesty's colonies or possessions abroad of any person as an artificer, clerk, domestic servant, handicraftsman, mechanic, gardener, servant in husbandry, or labourer.

(4.) Testaments, testamentary instruments, and dispositions mortis causâ in Scotland.

(5.) Bonds given to sheriffs or other persons upon the replevy of any goods or chattels, and assignments of such bonds.

(6.) Commissions granted to officers of militia, yeomanry, or volunteers.

Stamp Duties.

A

BILL

For granting certain Stamp Duties in
Duties of the same kind now payable
various Acts, and consolidating and a
ing Provisions relating thereto.

(*Prepared and brought in by*
Mr. Dodson, Mr. Chancellor of the Exchequ
and Mr. Stansfeld.)

Ordered, by The House of Commons, *to be Pr*
20 *May* 1870.

[Bill 135.]

Under 11 *oz.*

Stamp Duties Bill.

[AS AMENDED IN COMMITTEE.]

ARRANGEMENT OF CLAUSES.

Clauses.

1. Short title and commencement of Act.
2. Interpretation of terms.
3. Grant of duties in schedule.
4. As to instruments charged with the duty of thirty-five shillings.
5. As to instruments relating to property belonging to the Crown.
6. All duties to be paid according to the regulations of this Act, and the schedule to be read as part of this Act.

General Regulations.

7. How instruments are to be written and stamped.
8. Instruments to be separately charged with duty in certain cases.
9. As to the use of appropriated stamps.
10. Facts and circumstances affecting duty to be set forth in instruments. Penalty 50*l.*
11. Money in foreign or colonial currency to be valued.
12. Stock and marketable securities to be valued.
13. Effect of statement of value.
14. As to denoting stamp.
15. Terms upon which instruments may be stamped after execution. Proviso as to instruments executed abroad; as to the remission of penalties.
16. Terms upon which unstamped or insufficiently stamped instruments may be received in evidence in any court. The officer of the court to account for duties and penalties.
17. Instrument not duly stamped inadmissible.
18. The commissioners may be required to express their opinion as to duty. Mode and effect of proceeding. Provisoes.

Clauses.

19. Person dissatisfied may appeal. Mode of proceeding.
20. The commissioners may call for, and refuse to proceed without, evidence. Proviso.
21. Rolls, books, &c. to be open to inspection. Penalty for refusal, 10*l.*
22. Penalty for enrolling, &c., any instrument not duly stamped, 10*l.*
23. How duties to be denoted.
24. General direction as to the cancellation of adhesive stamps. Penalty for neglect or refusal, 10*l.*
25. Penalty for frauds in relation to adhesive stamps, or to any duty, 50*l.*
26. Recovery of penalties.
27. Affidavits and declarations, how to be made.
28. Moneys received and not appropriated to be recoverable in Court of Exchequer.

Special Regulations.

As to Admissions generally.

29. Duty; how to be denoted.
30. Penalty on officers for neglect or refusal to prepare or make duly stamped documents or entries; 10*l.*

As to Admissions to the Degree of a Barrister-at-Law in Ireland, and of Students to the Society of King's Inns, Dublin.

31. Distinct accounts to be kept of certain sums payable to King's Inns, Dublin.
32. As to admission as a student of King's Inns, Dublin, of a member of Inns of Court in England.

As to Admissions or Appointments to and Grants of Offices or Employments.

33. Fees and emoluments; how to be estimated.
34. Re-appointments not chargeable with duty, except for augmentation.
35. No duty on promotion in the Customs, except for augmentation.

Clauses.

As to Agreements.

36. Duty may be denoted by adhesive stamp.

As to Appointments, &c. to Ecclesiastical Benefices, &c.

37. Net yearly value—how to be ascertained and determined.

As to Appraisements.

38. Appraisements to be written out. Penalty on the appraiser, 50*l.* On other offenders, 20*l.*

As to Instruments of Apprenticeship.

39. Interpretation of term.

40. Premium or consideration to be set out in writing. Penalty, 20*l.*, and the contract to be void.

As to original Articles of Clerkship.

41. Articles in England not to be charged with more than one duty of 80*l.*; and in certain cases may be stamped with additional duty.

42. Articles in Scotland not to be charged with more than one duty of 60*l.*; and in certain cases may be stamped with additional duty.

43. Terms upon which articles may be stamped after execution.

44. Distinct account to be kept of 14*l.* payable to King's Inns, Dublin.

As to Bank Notes, Bills of Exchange, and Promissory Notes.

45. Interpretation of terms.

46. Bank notes may be re-issued.

47. Penalty for issuing an unstamped bank note 50*l.* For receiving 20*l.*

48. Interpretation of term "Bill of exchange."

49. Interpretation of term "Promissory note."

50. Certain bills liable to ad valorem as well as fixed duty.

51. The fixed duty may be denoted by adhesive stamp.

52. Ad valorem duties to be denoted in certain cases by adhesive stamps. Provisoes for the protection of bonâ fide holders; not to relieve any other person.

Clauses.
53. Bills and notes purporting to be drawn, &c. abroad, to be deemed to have been so drawn, &c.
54. Terms upon which bills and notes may be stamped after execution.
55. Penalty for issuing, &c. any unstamped bill or note, 50*l.*; and the bill or note to be unavailable. Proviso as to the fixed duty; not to relieve from penalty.
56. Persons paying bills or notes, to cancel them, and adhesive stamps. Penalty, 50*l.*
57. One bill only out of a set need be stamped.

As to Bills of Lading.

58. Bills of lading.

As to Bills of Sale.

59. Bills of sale.

As to Bonds given in relation to the Duties of Customs and Excise.

60. Bonds not to include goods, &c. belonging to more than one person. Penalty, 50*l.*

As to the Certificates of Attorneys and others.

61. Penalty for practising without a certificate, or not making true statement on application for certificate, 50*l.*, and incapacity to recover fees, &c.
62. Penalty on unqualified persons preparing instruments, 50*l.* Proviso.
63. One certificate only in England, Scotland, or Ireland.
64. Certificates of attorneys, and others, in England and Ireland, to be taken out and stamped, according to the provisions of Acts relating thereto.
65. Other certificates how to be taken out and stamped.
66. Certain certificates to be dated and to expire as in this section mentioned.

As to the Certificate of Registration of a Design.

67. Duty to be denoted by appropriated stamp.

As to Charter Parties.

68. Duty may be denoted by adhesive stamp.

Clauses.
69. As to charter parties executed abroad.
70. Terms upon which charter parties may be stamped after execution.

As to Contract Notes.

71. Duty may be denoted by adhesive stamp. Penalty for making an unstamped note, 20*l.*; and no brokerage, &c. recoverable.

As to Conveyances on Sale.

72. Interpretation of term.
73. How ad valorem duty to be calculated in respect of stock and securities.
74. How consideration consisting of periodical payments to be charged.
75. How conveyance in consideration of a debt, or subject to future payment, &c., to be charged.
76. Direction as to duty in certain cases.
77. As to the sale of an annuity or right not before in existence.
78. Where several instruments, the principal instrument only to be charged with ad valorem duty.
79. Principal instrument—how to be ascertained.

As to Conveyances on any occasion except Sale or Mortgage.

80. What is to be deemed a conveyance on any occasion, not being a sale or mortgage.

As to attested Copies and Extracts.

81. Certain copies and extracts may be stamped without penalty within 14 days after attestation.

As to certified Copies and Extracts from Registers of births, &c.

82. By whom duty to be paid may be denoted by adhesive stamp.

As to Copyhold and Customary Estates.

83. Payment of duty to be certified.
84. Not to be charged more than once.
85. Facts and circumstances affecting duty, how to be stated. Penalty, 50*l.*

Clauses.

86. Steward to refuse to perform certain acts. Penalty for not refusing, 50*l.*

87. Steward to make out duly stamped copies. Penalty for neglect, 50*l.*; and to be liable for the duty.

88. Steward may refuse to proceed except on payment of his fees, and duty.

As to Delivery Orders and Warrants for Goods.

89. Interpretation of term.

90. Interpretation of term.

91. Duty may be denoted by an adhesive stamp.

92. By whom duty on delivery order to be paid.

93. What documents to be chargeable as delivery orders. Penalty for making false statement, or signing, &c., or making use of, any order not duly stamped, or containing any false statement, 20*l.*

94. Penalty for making, &c. unstamped warrant, 20*l.*

As to Duplicates and Counterparts.

95. When duly stamped.

As to Exchange or Excambion and Partition or Division.

96. As to exchange or excambion, &c.

As to Grants of Honours and Dignities.

97. How to be charged in certain cases.

As to Leases, &c.

98. Agreements for not more than 35 years to be charged as leases.

99. Leases—how to be charged in respect of produce, &c. Effect of statement of value.

100. Directions as to duty in certain cases.

101. Duty in certain cases may be denoted by adhesive stamp.

102. Penalty in certain cases 5*l.* Proviso.

Clauses.

As to Letters of Allotment, Scrip Certificates, and Scrip.

103. Penalty for executing, &c. not duly stamped, 20*l.*

As to Letters or Powers of Attorney, and Voting Papers.

104. Proxies and voting papers confined to one meeting. Duty may be denoted by adhesive stamp. Penalty for executing, &c. not duly stamped, 50*l.*, and vote void. May not be stamped after execution.
105. Power relating to Government stocks—how to be charged.
106. Order to pay dividends not power of attorney.

As to Mortgages, &c.

107. Interpretation of term.
108. Security for stock,—how to be charged.
109. Security for future advances, how to be charged. Proviso.
110. Security for repayment by periodical payments, how to be charged.
111. As to transfers and further charges.
112. As to copyholds.
113. As to mortgage with conveyance of equity of redemption.
114. Exemption from stamp duty in favour of benefit building societies restricted.
115. Interpretation of term "Foreign security."
116. Penalty for issuing, &c. any foreign security not duly stamped. 20*l.*
117. Foreign securities may be stamped without penalty.

As to Notarial Acts.

118. Duty may be denoted by adhesive stamp.

As to Policies of Insurance.

119. Interpretation of terms.
120. Penalty for not making out policy; or making, &c. any policy not duly stamped. 50*l.* On the managing director, &c.
121. Duty may be denoted by adhesive stamp. Penalty on the company and directors, &c., 50*l.*

Clauses.

As to Receipts.

122. Interpretation of term.
123. Duty may be denoted by adhesive stamp.
124. Terms upon which receipts may be stamped after execution.
125. Penalty for offences.

As to Settlements.

126. As to settlement of policy or security. Proviso as to policies.
127. Settlements when not to be charged as securities.
128. Where several instruments one only to be charged with ad valorem duty.

As to Share Warrants.

129. Penalty for issuing share warrant not duly stamped, 50*l.*

As to Transfers of Shares in Cost Book Mines.

130. Duty may be denoted by adhesive stamp. Penalty for signing, &c., 20*l.*

Schedule.

Clauses and Heads of Charge.	References to the existing Law.
Clause 5 - -	55 Geo. 3. cap. 184., sched., tits. Grant, Lease.
„ 7 - -	1 Ann. stat. 2. cap. 22. sec. 5. 12 Ann. stat. 2. cap. 9. sec. 24.
„ 8 - -	44 Geo. 3. cap. 98. sec. 11. 55 Geo. 3. cap. 184., sched., tits. Conveyance, Bond, Mortgage. 13 & 14 Vict. cap. 97., sched., tit. settlement. 17 & 18 Vict. cap. 83. sec. 16., and many decisions in the courts of law. See Tilsley's Treatise, page 319, et seq.
„ 9 - -	43 Geo. 3. cap. 127. sec. 5 and 6. 48 Geo. 3. cap. 149. sec. 5. 50 Geo. 3. cap. 35. sec. 16. 55 Geo. 3. cap. 184. sec. 10.
„ 10 - -	48 Geo. 3. cap. 149. sec. 22. et seq., applicable only to conveyances on sale, extended by the Bill in a modified form to all cases.
„ 11 - -	27 Vict. cap. 18. sec. 11. 13. as to settlements, made generally applicable.
„ 12 - -	13 & 14 Vict. cap. 97., sched., tits. Conveyance, Mortgage. 27 Vict. cap. 18. sec. 11. 13., settlements made generally applicable.
„ 13 - -	New.
„ 14 - -	55 Geo. 3. cap. 184., sched., tits. Conveyance, Mortgage. 13 & 14 Vict. cap. 97., sched., tit. Settlement, and others.

Clauses and Heads of Charge.	References to the existing Law.
Clause 15 - -	13 & 14 Vict. cap. 97. sec. 12, 13.
„ 16 - -	17 & 18 Vict. cap. 125. sec. 28, 29, (England). 19 & 20 Vict. cap. 102. sec. 34, 35, (Ireland). 31 & 32 Vict. cap. 100. sec. 41, 42, (Scotland).
„ 17 - -	5 Wm. & Mary, cap. 21. and subsequent Acts modified as to criminal proceedings by 17 & 18 Vict. cap. 83. sec. 27.
„ 18, 19, & 20 -	13 & 14 Vict. cap. 97. sec. 14, 15. 16 & 17 Vict. cap. 59. sec. 13. 17 & 18 Vict. cap. 83. sec. 17, 18.
„ 21 - -	5 Geo. 3. cap. 46. sec. 38.
„ 22 - -	5 Wm. & Mary, cap. 21. sec. 11.
„ 24 - -	There is no general enactment on the subject, but several relating to particular instruments which it is not necessary to specify.
„ 25 - -	16 & 17 Vict. cap. 59. sec. 5. 23 Vict. cap. 15. sec. 14.
„ 28 - -	13 & 14 Vict. cap. 97. sec. 8.
Admissions generally, and clauses 29 and 30.	5 Geo. 3. cap. 46. sec. 4. 55 Geo. 3. cap. 184., sched., tit. Admission.
Clause 31 - -	5 & 6 Vict. cap. 82. sec. 8.
„ 32 - -	5 & 6 Vict. cap. 79. sec. 22.
Clauses 33 and 34 -	55 Geo. 3. cap. 184., sched., tit. Grant, &c.
Clause 35 - -	3 Geo. 4. cap. 117. sec. 4.

Clauses and Heads of Charge.	References to the existing Law.
Admission to corporation, &c.	55 Geo. 3. cap. 184. 2 & 3 Will. 4. cap. 91. 5 & 6 Will. 4. cap. 76. sec. 22. 1 & 2 Vict. cap. 35. 3 & 4 Vict. cap. 108. sec. 48. 5 & 6 Vict. cap. 82. 9 Vict. cap. 117. 19 & 20 Vict. cap. 81.
Affidavit or statutory declaration.	55 Geo. 3. cap. 184., schedules 1 and 2. 5 Geo. 4. cap. 41. 5 & 6 Will. 4. cap. 62. 4 & 5 Vict. cap. 34. 23 Vict. cap. 15.
Agreement under Highway Acts.	28 & 29 Vict. cap. 96. sec. 30.
Agreement, and clause 36.	23 Vict. cap. 15., sched., tit. Agreement, and sec. 15. 23 & 24 Vict. cap. 111. sec. 12.
Appointment to ecclesiastical benefice, and clause 37.	27 Vict. cap. 18., sched. (C.)
Appointment of a new trustee, &c.	55 Geo. 3. cap. 184., sched., tit. Appointment in execution, &c.
Appraisement, and clause 38.	46 Geo. 3. cap. 43. secs. 8 and 9. 28 & 29 Vict. c. 96. sec. 2.
Apprenticeship, and clauses 39 and 40.	8 Ann. cap. 9. secs. 35 and 39. 55 Geo. 3. cap. 184., sched., tit. Apprenticeship. 16 & 17 Vict. cap. 59., sched.
Articles of clerkship -	55 Geo. 3. cap. 184., sched., tit. Articles. 16 & 17 Vict. cap. 59. sec. 7. 16 & 17 Vict. cap. 63., sched.

Clauses and Heads of Charge.	References to the existing Law.
Clauses 41 and 42 -	1 Wm. 4 cap. 70. sec. 17. 30 & 31 Vict. cap. 96. sec. 23.
Clause 43 - -	19 & 20 Vict. cap. 81. sec. 3.
,, 44 - -	5 & 6 Vict. cap. 82. sec. 8.
Award - - -	28 & 29 Vict. cap. 96. sec. 3.
Bank note, and clauses 45, 46, 47.	55 Geo. 3. cap. 184., sched., Promissory Note, and sec. 11, 14, 15. 17 & 18 Vict. cap. 83. sec. 11, 12.
Bill of exchange and promissory note, and clauses 48 to 57.	55 Geo. 3. cap. 184. sec. 11. 16 & 17 Vict. cap. 59. sec. 3. and sched. 17 & 18 Vict. cap. 83. sec. 3, 4, 5, 6, and sched. 21 Vict. cap. 20. 23 Vict. cap. 15. sec. 12, 13, and sched. 23 & 24 Vict. cap. 111. sec. 5, 17, 18, and sched. 24 & 25 Vict. cap. 21. sched. (B.) 27 & 28 Vict. cap. 56. sec. 2.
Bill of lading, and clause 58.	5 & 6 Vict. cap. 79. sec. 21. and sched. 5 & 6 Vict. cap. 82. sec. 34. and sched.
Bill of sale, and clause 59.	24 & 25 Vict. cap. 91. sec. 34.
Bond &c. (annuity) -	13 & 14 Vict. cap. 97., sched., tits. Bond, and Covenant.
Bond as to Customs, and clause 60.	6 Geo. 4. cap. 41 sec. 4. 13 & 14 Vict. cap. 97.
Bonds generally -	55 Geo. 3. cap. 184., sched. 13 & 14 Vict. cap. 97., sched.

Clauses and Heads of Charge.	References to the existing Law.
Certificates of attorneys and others, clauses 61 to 66.	16 & 17 Vict. cap. 63., sched. 25 Geo. 3. cap. 80. 37 Geo. 3. cap. 90. 39 & 40 Geo. 3. cap. 72. 44 Geo. 3. cap. 98. sec. 14. 54 Geo. 3. cap. 144. 9 Geo. 4. cap. 49., and the Acts mentioned in clause 64.
Certificates of goods, &c.	55 Geo. 3. cap. 184., sched.
Certificate of registration of design, and clause 67.	6 & 7 Vict. cap. 65. 6 & 7 Vict. cap. 72. sec. 3.
Charter of resignation, &c.	13 & 14 Vict. cap. 97., sched.
Charter party, clauses 68, 69, 70.	28 & 29 Vict. cap. 96. sec. 7.
Commissions, Army and Navy, Inland Revenue, Lunacy.	55 Geo. 3. cap. 184.
Contract Note, and Clause 71.	23 & 24 Vict. cap. 111., sched., and sec. 7.
Conveyance or transfer, Sched. (1), (2), (3).	(1) & (2) 55 Geo. 3. cap. 184. (3) 31 & 32 Vict. cap. 124. sec. 12.
On sale, and clauses 72 to 79.	55 Geo. 3. cap. 184., sched. 13 & 14 Vict. cap. 97., sched. 16 & 17 Vict. cap. 59., sec. 10, 11. 17 & 18 Vict. cap. 83., sched., and sec. 16. 28 & 29 Vict. cap. 96. sec. 1.
Of any other kind, and clause 80.	55 Geo. 3. cap. 184., sched.

Clauses and Heads of Charge.	References to the existing Law.
Copy or extract attested, and clause 81.	55 Geo. 3. cap. 184., sched. 8 & 9 Vict. cap. 76. sec. 2. (Ireland).
Certified, and clause 82	23 Vict. cap. 15., sched. 23 & 24 Vict. cap. 111., sec. 16.
Copyhold and clauses 83–88	48 Geo. 3. cap. 149. sec. 30 et seq. 55 Geo. 3. cap. 184., sched. 13 & 14 Vict. cap. 97., sched. 17 & 18 Vict. cap. 83., sched.
Covenant (separate) -	13 & 14 Vict. cap. 97., sched.
Debenture for drawback.	16 & 17 Vict. cap. 59., sched.
Declaration of use, &c.	55 Geo. 3. cap. 184., sched.
Deed (general) -	55 Geo. 3. cap. 184., sched.
Delivery order, and clauses 89, 91, 92, 93.	23 Vict. cap. 15., sched., and sec. 8, 9, 10. 23 & 24 Vict. cap. 111. sec. 13 and 14.
Deputation of gamekeeper.	55 Geo. 3. cap. 184., sched.
Disposition, Scotland (general).	55 Geo. 3. cap. 184., sched.
Docket - -	55 Geo. 3. cap. 184., sched.
Duplicate or counterpart and clause 95.	13 & 14 Vict. cap. 97., sched. 16 & 17 Vict. cap. 59. sec. 12. 24 & 25 Vict. cap. 91. sec. 31.
Exchange, and clause 96.	55 Geo. 3. cap. 184., sched.
Exemplification -	55 Geo. 3. cap. 184., sched.
Faculty - -	55 Geo. 3. cap. 184., sched.

Clauses and Heads of Charge.	References to the existing Law.
Grant and clause 97 -	55 Geo. 3. cap. 184., sched.
Lease or tack, and clauses 98–102.	13 & 14 Vict. cap. 97. sched. 17 & 18 Vict. cap. 83., sched., and sec. 23. 23 Vict. cap. 15., sched. 24 & 25 Vict. cap. 21., sched. (B.), and sec. 14, 15. 28 & 29 Vict. cap. 96. sec. 5.
Letter of allotment, &c., and clause 103.	30 & 31 Vict. cap. 90. sec. 20.
Letter of attorney, &c., and clauses 104, 105, and 106.	55 Geo. 3. cap. 184., sched. 7 Vict. cap. 21., sched. 19 & 20 Vict. cap. 81. sec. 2. 23 Vict. cap. 15., sched. 24 & 25 Vict. cap. 91. sec. 26, 27. 27 & 28 Vict. cap. 56. sec. 3. 27 & 28 Vict. cap. 90.
Licence for marriage -	55 Geo. 3. cap. 184., sched. 5 & 6 Vict. cap. 82. sec. 4., Ireland.
Licence, ecclesiastical	55 Geo. 3. cap. 184., sched. 16 & 17 Vict. cap. 59. sec. 9. 28 & 29 Vict. cap. 96. sec. 4.
Memorial - -	13 & 14 Vict. cap. 97., sched.
Mortgage, &c., and clauses 107–117.	55 Geo. 3. cap. 184., sched. 13 & 14 Vict. cap. 97. sched. 28 & 29 Vict. cap. 96. sec. 17. } (Transfer.) 30 & 31 Vict. cap. 90. sec. 23. } 25 Vict. cap. 22., sched., and sec. 38. } Foreign Security. 31 & 32 Vict. cap. 124. sec. 10. }
Notarial Act, and clause 118.	24 & 25 Vict. cap. 91. sec. 25.
Passport - -	21 Vict. cap. 24.

Clauses and Heads of Charge.	References to the existing Law.
Policy, and clauses 119, 120, 121.	Life, 16 & 17 Vict. cap. 59., sched., and sec. 6. 16 & 17 Vict. cap. 63. sec. 10, 11. 23 & 24 Vict. cap. 111. sec. 10. General, 28 & 29 Vict. cap. 96. sec. 10. 28 Vict. cap. 30., sched. And see 10 Ann. cap. 26. sec. 71.
Precept of clare constat.	13 & 14 Vict. cap. 97., sched.
Procuration - -	55 Geo. 3. cap. 184., sched.
Protest - -	24 & 25 Vict. cap. 91. sec. 25.
Receipt and clauses 122–125.	35 Geo. 3. cap. 55. 43 Geo. 3. cap. 126. 16 & 17 Vict. cap. 59., sched. 17 & 18 Vict. cap. 83. sec. 14. 28 & 29 Vict. cap. 96. sec. 16.
Release or renunciation.	55 Geo. 3. cap. 184., sched.
Resignation, Scotland	13 & 14 Vict. cap. 97., sched.
Revocation - -	55 Geo. 3. cap. 184., sched.
Schedule - -	13 & 14 Vict. cap. 97., sched. 17 & 18 Vict. cap. 83. sec. 22.
Seisin, Scotland -	13 & 14 Vict. cap. 97., sched.
Settlement, and clauses 126–129.	55 Geo. 3. cap. 184., sched. 13 & 14 Vict. cap. 97., sched. 27 Vict. cap. 18. sec. 11, 12, 13.
Share warrant, and clause 130.	30 & 31 Vict. cap. 131. sec. 33.
Surrender - -	55 Geo. 3. cap. 184., sched. 13 & 14 Vict. cap. 97., sched., tit. Lease.

Clauses and Heads of Charge.	References to the existing Law.
Transfer, cost book mines, and clause 131.	23 Vict. cap. 15., sched.
Voting paper, and clause 104.	27 Vict. cap. 18., sched.
Warrant of attorney -	13 & 14 Vict. cap. 97., sched.
Warrant for goods, and clauses 90, 91, 94.	23 Vict. cap. 15., sched., tit. Dock Warrant. 23 & 24 Vict. cap. 111. sec. 15., and see Delivery Order.
Warrant under sign manual.	55 Geo. 3. cap. 184., sched.
Writ, Scotland -	16 & 17 Vict. cap. 63. sec. 6., and the Acts referred to in the schedule under the head.
General exemptions -	(1.) 55 Geo. 3. cap. 184., sched. (2.) 6 Geo. 4. cap. 41. sec. 1. (3.) 17 & 18 Vict. cap. 83. sec. 21. (4.) 23 Vict. cap. 15. sec. 7. (5.) 5 Geo. 4. cap. 41. sec. 1. (6.) 55 Geo. 3. cap. 184., tit. Commission.

A

B I L L

[AS AMENDED IN COMMITTEE]

FOR

Granting certain Stamp Duties in lieu of Duties of the same kind now payable under various Acts, and consolidating and amending Provisions relating thereto. A.D. 1870.

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal subjects, the Commons of the United Kingdom of Great Britain and Ireland, in Parliament assembled, towards raising the necessary supplies to defray Your Majesty's public expenses, and making an addition to the public revenue, have freely and voluntarily resolved to give and grant unto Your Majesty the several duties herein-after mentioned; and do therefore most humbly beseech Your Majesty that it may be enacted:

And be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title, and commencement of Act.

1. This Act may be cited as "The Stamp Act, 1870," and shall come into operation on the first day of January one thousand eight hundred and seventy-one, which date is herein-after referred to as the commencement of this Act.

Interpretation of terms.

2. In the construction, and for the purposes, of this Act the following words have the meanings by this section assigned to them, unless it is otherwise provided, or there be something in the context repugnant thereto:

(1.) "The Commissioners" means the Commissioners of Inland Revenue:

(2.) "Material" means and includes every sort of material upon which words or figures can be expressed:

(3.) "Write," "written," and "writing," include every mode in which words or figures can be expressed upon material:

A.D. 1870.

(4.) "Instrument" means and includes every written document:

(5.) "Stamp" means as well a stamp impressed by means of a die, as an adhesive stamp:

(6.) "Stamped," with reference to instruments and material, applies as well to instruments and material impressed with stamps by means of a die, as to instruments and material having adhesive stamps affixed thereto:

(7.) "Executed" and "Execution," with reference to instruments not under seal, mean signed and signature:

(8.) "Money" includes all sums expressed in British, or in any foreign or colonial currency:

(9.) "Stock" means and includes any share in any stocks or funds transferable at the Bank of England or at the Bank of Ireland, and India promissory notes, and any share in the stocks or funds of any foreign or colonial state or government, or in the capital stock or funded debt of any company, corporation, or society in the United Kingdom, or of any foreign or colonial company, corporation, or society:

(10.) "Marketable security" means a security of such a description as to be capable of being sold in any stock market in the United Kingdom:

(11.) "Person" includes company, corporation, and society.

Grant of duties in schedule.

3. From and after the commencement of this Act, and subject to the exemptions contained in the schedule to this Act, and in any other Acts for the time being in force, there shall be charged for the use of Her Majesty, her heirs and successors, upon the several instruments specified in the schedule to this Act, the several duties in the said schedule specified, and no other duties.

As to instruments charged with the duty of 35*s*.

4. Any instrument which by any Act heretofore passed, and not relating to stamp duties, is specifically charged with the duty of thirty-five shillings, shall, from and after the commencement of this Act, be chargeable only with the duty of ten shillings, in lieu of the said duty of thirty-five shillings.

As to instruments relating to property belonging to the Crown.

5. Except where express provision to the contrary is made by this or any other Act, an instrument relating to property belonging to the Crown, or being the private property of the Sovereign, is to be charged with the same duty as an instrument of the same kind relating to property belonging to a subject.

All duties to be paid according to the regulations of this Act, and the schedule to be read as part of this Act.

6. (1.) All stamp duties which may from time to time be chargeable by law upon any instruments, are to be paid and denoted according to the general and special regulations in this Act contained.

(2.) The said schedule, and everything therein contained, is to be read and construed as part of this Act.

General Regulations.

How instruments are to be written and stamped.

7. (1.) Every instrument written upon stamped material is to be written in such manner, and every instrument partly or wholly written before being stamped is to be so stamped, that the stamp may appear on the face of the instrument, and cannot be used for or applied to any other instrument written upon the same piece of material.

(2.) If more than one instrument be written upon the same piece of material, every one of such instruments is to be separately and distinctly stamped with the duty with which it is chargeable.

Instruments to be separately charged with duty in certain cases.

8. Except where express provision to the contrary is made by this or any other Act,

(1.) An instrument containing or relating to several distinct matters is to be separately and distinctly charged, as if it were a separate instrument, with duty in respect of each of such matters.

(2.) An instrument made for any consideration or considerations in respect whereof it is chargeable with ad valorem duty, and also for any further or other valuable consideration, is to be charged with duty in respect of such last-mentioned consideration, as if it were a separate instrument made for such consideration only.

As to the use of appropriated stamps.

9. (1.) A stamp, which by any word or words on the face of it is appropriated to any particular description of instrument, is not to be used, or, if used, is not to be available, for an instrument of any other description.

(2.) An instrument falling under the particular description to which any stamp is so appropriated as aforesaid is not to be deemed duly stamped, unless it is stamped with the stamp so appropriated.

Facts and circumstances affecting duty to be set forth in instruments.

10. All the facts and circumstances affecting the liability of any instrument to ad valorem duty, or the amount of the ad valorem duty with which any instrument is chargeable, are to be fully and truly set forth in the instrument, and every person who, with intent to defraud Her Majesty, or her heirs or successors,

(1.) Executes any instrument in which all the said facts and circumstances are not fully and truly set forth:

A.D. 1870.

Penalty, 50*l.*

(2.) Being employed or concerned in or about the preparation of any instrument, neglects or omits fully and truly to set forth therein all the said facts and circumstances:

Shall forfeit the sum of fifty pounds.

Money in foreign or colonial currency to be valued.

11. Where an instrument is chargeable with ad valorem duty in respect of any money in any foreign or colonial currency, such duty shall be calculated on the value of such money in British currency, according to the current rate of exchange on the day of the date of the instrument.

Stock and marketable securities to be valued.

12. Where an instrument is chargeable with ad valorem duty in respect of any stock, or of any marketable security, such duty shall be calculated on the value of such stock or security, according to the average price thereof on the day of the date of the instrument.

Effect of statement of value.

13. Where an instrument contains a statement of current rate of exchange, or average price, as the case may require, and is stamped in accordance with such statement, it is, so far as regards the subject matter of such statement, to be deemed duly stamped, unless or until it is shown that such statement is untrue, and that the instrument is in fact insufficiently stamped.

As to denoting stamp.

14. Where the duty with which an instrument is chargeable depends in any manner upon the duty paid upon another instrument, the payment of such last-mentioned duty shall, if application be made to the commissioners for that purpose, and on production of both the instruments, be denoted in such manner as the commissioners think fit upon such first-mentioned instrument.

Terms upon which instruments may be stamped after execution.

15. (1.) Except where express provision to the contrary is made by this or any other Act, any unstamped or insufficiently stamped instrument may be stamped after the execution thereof, on payment of the unpaid duty and a penalty of ten pounds, and also by way of further penalty, where the unpaid duty exceeds ten pounds, of interest on such duty, at the rate of five pounds per centum per annum, from the day upon which the instrument was first executed up to the time when such interest is equal in amount to the unpaid duty.

And the payment of any penalty or penalties is to be denoted on the instrument by a particular stamp.

Proviso.

(2.) Provided as follows:

As to instruments executed abroad.

(a.) Any unstamped or insufficiently stamped instrument, which has been first executed at any place out of the United Kingdom, may be stamped, at any time within two months after it has been first received in the United Kingdom, on payment of the unpaid duty only:

A.D. 1870.

(b.) The commissioners may, if they think fit, at any time within twelve months after the first execution of any instrument, remit the penalty or penalties, or any part thereof.

As to the remission of penalties.

16. (1.) Upon the production of an instrument chargeable with any duty as evidence in any court of civil judicature in any part of the United Kingdom, the officer, whose duty it is to read the instrument, shall call the attention of the judge to any omission or insufficiency of the stamp thereon, and if the instrument is one which may legally be stamped after the execution thereof, it may, on payment to the officer of the amount of the unpaid duty, and the penalty payable by law on stamping the same as aforesaid, and of a further sum of one pound, be received in evidence, saving all just exceptions on other grounds.

Terms upon which unstamped or insufficiently stamped instruments may be received in evidence in any court.

(2.) The officer receiving the said duty and penalty shall give a receipt for the same, and make an entry in a book kept for that purpose of the payment and of the amount thereof, and shall communicate to the commissioners the name or title of the cause or proceeding in which, and of the party from whom, he received the said duty and penalty, and the date and description of the instrument, and shall pay over to the Receiver General of Inland Revenue, or to such other person as the commissioners may appoint, the money received by him for the said duty and penalty.

The officer of the court to account for duties and penalties.

(3.) Upon production to the commissioners of any instrument in respect of which any duty or penalty has been paid as aforesaid, together with the receipt of the said officer, the payment of such duty and penalty shall be denoted on such instrument accordingly.

17. Save and except as aforesaid, no instrument executed in any part of the United Kingdom, or relating, wheresoever executed, to any property situate, or to any matter or thing done or to be done, in any part of the United Kingdom, shall, except in criminal proceedings, be pleaded or given in evidence, or admitted to be good, useful, or available in law or equity, unless it is duly stamped in accordance with the law in force at the time when it was first executed.

Instrument not duly stamped inadmissible.

18. (1.) Subject to such regulations as the commissioners may think fit to make, the commissioners may be required by any person to express their opinion with reference to any executed instrument upon the following questions :—

The Commissioners may be required to express their opinion as to duty.

(*a.*) Whether it is chargeable with any duty.

(*b.*) With what amount of duty it is chargeable.

A.D. 1870.

Mode and effect of proceeding.

(2.) If the commissioners are of opinion that the instrument is not chargeable with any duty, such instrument may be stamped with a particular stamp denoting that it is not chargeable with any duty.

(3.) If the commissioners are of opinion that the instrument is chargeable with duty, they shall assess the duty with which it is in their opinion chargeable, and if or when the instrument is duly stamped in accordance with the assessment of the commissioners, it may be also stamped with a particular stamp denoting that it is duly stamped.

(4.) Every instrument stamped with the particular stamp, denoting either that it is not chargeable with any duty, or is duly stamped, shall be admissible in evidence, and available for all purposes notwithstanding any objection relating to duty.

Provisoes.

(5.) Provided as follows:—

(*a.*) An instrument upon which the duty has been assessed by the commissioners shall not, if it is unstamped, or insufficiently stamped, be stamped otherwise than in accordance with the assessment of the commissioners:

(*b.*) Nothing in this section contained extends to any instrument chargeable with duty, and made as a security for money or stock without limit:

(*c.*) Nothing in this section contained shall be deemed to authorize the stamping after the execution thereof of any instrument prohibited by law from being so stamped.

Person dissatisfied may appeal.

19. (1.) Any person, who is dissatisfied with the assessment of the commissioners made in pursuance of the last preceding section, may, within twenty-one days after the date of such assessment, and on payment of duty in conformity therewith, appeal against such assessment to Her Majesty's Court of Exchequer in England, Scotland, or Ireland, according to the country in which the case has arisen, and may for that purpose require the commissioners to state and sign a case, setting forth the question upon which their opinion was required, and the assessment made by them.

Mode of proceeding.

(2.) The commissioners shall thereupon state and sign a case accordingly, and deliver the same to the person by whom it is required, and on his application such case may be set down for hearing in the proper court.

(3.) Upon the hearing of such case (due notice of which is to be given to the commissioners) the court shall determine the question submitted, and if the instrument in question is in the opinion of the court chargeable with any duty, shall assess the duty with which it is so chargeable.

A.D. 1870

(4.) If it is decided by the court that the assessment of the commissioners is erroneous, any excess of duty which may have been paid in conformity with such erroneous assessment, together with any penalty which may have been paid in consequence thereof, shall be ordered by the court to be repaid by the commissioners to the appellant, together with the costs incurred by him in relation to the appeal.

(5.) But if the assessment of the commissioners is confirmed by the court, the costs incurred by the commissioners in relation to the appeal shall be ordered by the court to be paid by the appellant to the commissioners.

The commissioners may call for and refuse to proceed without evidence.

20. (1.) In any case of application to the commissioners with reference to any instrument, the commissioners may require to be furnished with an abstract of the instrument, and also with such evidence as they may deem necessary, in order to show to their satisfaction whether all the facts and circumstances affecting the liability of the instrument to duty, or the amount of the duty chargeable thereon, are fully and truly set forth therein, and may refuse to proceed upon any such application until such abstract and evidence has been furnished accordingly.

Proviso.

(2.) Provided that no affidavit or statutory declaration, made in pursuance of this section, shall be used against any person making the same in any proceeding whatever, except in an inquiry as to the duty with which the instrument to which it relates is chargeable, and every person by whom any such affidavit or declaration is made shall, on payment of the full duty with which the instrument to which it relates is chargeable, be relieved from any penalty, forfeiture, or disability he may have incurred by reason of the omission to state truly in such instrument any of the facts or circumstances aforesaid.

Rolls, books &c. to be open to inspection.

21. (1.) All public officers having in their custody any rolls, books, records, papers, documents, or proceedings, the inspection whereof may tend to secure any duty, or to the proof or discovery of any fraud or omission in relation to any duty, shall at all seasonable times permit any person thereunto authorized by the commissioners to inspect all such rolls, books, records, papers, documents, and proceedings, and to take such notes and extracts as he may deem necessary, without fee or reward.

Penalty for refusal, 10*l.*

(2.) Every person who refuses to permit such inspection shall, for every such refusal, forfeit the sum of ten pounds.

A.D. 1870.

Penalty for enrolling, &c. any instrument not duly stamped, 10*l.*

22. If any person whose office it is to enrol, register, or enter in or upon any rolls, books, or records any instrument chargeable with any duty enrols, registers, or enters any such instrument not being duly stamped he shall forfeit the sum of ten pounds.

How duties to be denoted.

23. Except where express provision is made to the contrary, all duties are to be denoted by impressed stamps only.

General direction as to the cancellation of adhesive stamps.

24. (1.) An instrument, the duty upon which is required, or permitted by law, to be denoted by an adhesive stamp, is not to be deemed duly stamped with an adhesive stamp, unless the person required by law to cancel such adhesive stamp cancels the same by writing on or across the stamp his name or initials, or the name or initials of his firm, together with the true date of his so writing, so that the stamp may be effectually cancelled, and rendered incapable of being used for any other instrument.

Penalty for neglect or refusal, 10*l.*

(2.) Every person who, being required by law to cancel an adhesive stamp, wilfully neglects or refuses duly and effectually to do so in manner aforesaid, shall forfeit the sum of ten pounds.

Penalty for frauds in relation to adhesive stamps

25. Any person who—

(1.) Fraudulently removes, or causes to be removed, from any instrument any adhesive stamp, or affixes any adhesive stamp, which has been so removed, to any other instrument with intent that such stamp may be used again,

(2.) Sells, or offers for sale, or utters, any adhesive stamp which has been so removed, or utters any instrument having thereon any adhesive stamp which has to his knowledge been so removed as aforesaid,

(3.) Practises, or is concerned in, any fraudulent act, contrivance, or device not specially provided for, with intent to defraud Her Majesty, her heirs or successors, of any duty,

or to any duty, 50*l.*

Shall forfeit, over and above any other penalty to which he may be liable, the sum of fifty pounds.

Recovery of penalties.

26. (1.) Penalties incurred under this Act are to be sued for by information in the Court of Exchequer—in England, in the name of the Attorney-General for England; in Scotland, in the name of the Lord Advocate; and in Ireland, in the name of the Attorney-General for Ireland; and may be recovered with full costs of suit.

(2.) The Commissioners may, at their discretion, mitigate, or stay or compound proceedings for, any penalty, and reward any person who may inform them of any offence against this Act, or assist in the recovery of any penalty.

A.D. 1870.

Affidavits and declarations how to be made.

27. Any affidavit or declaration, to be made in pursuance or for the purposes of this Act, may be made before any of the commissioners, or any officer or person authorized by them in that behalf, or before a person appointed to administer oaths in the Court of Chancery in England or Ireland, or before any person commissioned to take affidavits by the Court of Session in Scotland, or before any justice of the peace or notary public in any part of the United Kingdom, or, at any place out of the United Kingdom, before any person duly authorized to administer oaths there.

Moneys received and not appropriated, to be recoverable in Court of Exchequer.

28. (1.) Every person who, having received any sum of money as or for the duty upon or in respect of any instrument, neglects or omits to appropriate such money to the due payment of such duty, or otherwise improperly withholds or detains the same, shall be accountable for the amount of such duty, and the same shall be a debt from him to Her Majesty, Her heirs or successors, and recoverable as such accordingly.

(2.) The Court of Exchequer in England, Scotland, or Ireland, may, upon application to be made for that purpose on behalf of the commissioners, upon such affidavit as may appear sufficient, grant a rule, requiring any such person as aforesaid, or the officer of any court, or the executor or administrator of such person or officer, to show cause why he should not deliver to the commissioners an account upon oath of all duties and sums of money received by such person or officer, and why the same should not be forthwith paid to the Receiver-General of Inland Revenue, or to such other person as the commissioners may appoint to receive the same; and the court may make absolute any such rule, and enforce by attachment or otherwise the payment of any such duties or sums of money as on such proceedings may appear to be due, together with the costs of the proceedings.

Special Regulations.

As to Admissions generally.

Duty, how to be denoted.

29. The duty payable under this Act upon an admission is to be denoted on the instrument of admission delivered to the person admitted, if there be any such instrument, or if not, on the register, entry, or memorandum of the admission in the rolls, books, or records of the court, inn, college, borough, burgh, company, corporation, guild, or society in which the admission is made, and in cases in

A.D. 1870.

which no instrument of admission is delivered, and no register, entry, or memorandum is made, on the rescript or warrant for admission.

Penalty on officers for neglect or refusal to prepare or make duly stamped documents or entries;

30. If any person whose office it is to prepare or deliver out any instrument of admission chargeable with any duty, or to register, enter, or make any memorandum of any admission in respect of which no instrument of admission is delivered to the person admitted, neglects or refuses, within one month after the admission, to prepare a duly stamped instrument of admission, or to make a proper and duly stamped register, entry, or memorandum of the admission, as the case may require, he shall forfeit the sum of ten pounds.

10*l.*

As to Admissions to the Degree of a Barrister-at-Law in Ireland, and of Students to the Society of King's Inns, Dublin.

Distinct accounts to be kept of certain sums payable to King's Inns, Dublin.

31. Distinct accounts are to be kept of the sums following; that is to say:—

(1.) Ten pounds, part of the duty of fifty pounds payable on the admission to the degree of a barrister-at-law in Ireland of a person not previously admitted to that degree in England:

(2.) Ten pounds, payable for duty on the like admission of a person who has been previously admitted to the said degree in England:

(3.) Ten pounds, part of the duty payable on the admission of a student into the Society of King's Inns, Dublin.

And the said sums are respectively to be paid over by the Receiver-General of Inland Revenue to the treasurer of the Society of King's Inns, Dublin, to be applied by him according to the directions of the said society.

As to admission as a student of King's Inns, Dublin, of a member of Inns of Court in England.

32. If any person, who has been duly admitted a member of one of the Inns of court in England, is afterwards duly admitted a student of the Society of King's Inns in Dublin, the duty paid by him in respect of his former admission is, on application made within six months after the last admission, to be allowed and returned to him.

As to Admissions or Appointments to and Grants of Offices or Employments.

Fees and emoluments how to be estimated.

33. The fees and emoluments appertaining to any office or employment are, when practicable, to be estimated according to the average amount thereof for three years preceding the date of the

admission, appointment, or grant, and in other cases according to the best information that can be obtained. A.D. 1870.

34. Where any office or employment is granted anew to any person upon the revocation of any former grant thereof or appointment thereto, in respect of which the proper duty has been paid, no duty is to be charged on the grant or appointment by way of renewal, unless the salary, fees, and emoluments of the officeor employment are in any manner augmented; and in that case duty is to be charged on such last-mentioned grant or appointment in proportion to the amount of the augmentation only. Re-appointments not chargeable with duty, except for augmentation.

35. Upon the promotion of any person from any office or employment in Her Majesty's Customs, in respect of which he has paid the proper duty, to any other office or employment therein, the appointment of such person to the office or employment to which he is so promoted is to be charged with duty in respect only of any augmentation in his salary, fees, and emoluments. No duty on promotion in the Customs except for augmentation.

As to Agreements.

36. The duty of sixpence upon an agreement may be denoted by an adhesive stamp, which is to be cancelled by the person by whom the agreement is first executed. Duty may be denoted by adhesive stamp.

As to Appointments, &c. to Ecclesiatical Benefices, &c.

37. The net yearly value of an ecclesiastical benefice, dignity, or promotion, or of a perpetual curacy, whether the emoluments thereof consist of money or of produce, or partly of money and partly of produce, is to be ascertained and determined as follows:— Net yearly value, how to be ascertained and determined.

(1.) In England, by the certificate of the Ecclesiastical Commissioners for England to be written on the instrument charged with duty:

(2.) In any other case, where it is practicable, according to the average amount of the emoluments for *three* years preceding, and where it is not practicable to arrive at such average, according to the best information that can be obtained.

Provided that two or more benefices, or a benefice and any ecclesiastical dignity or promotion episcopally or permanently united, shall be deemed one benefice only.

A.D. 1870.

As to Appraisements.

Appraisements to be written out.

38. (1.) Every appraiser, by whom an appraisement or valuation is made, shall, within fourteen days after the making thereof, write out the same, in words and figures showing the full amount thereof, upon duly stamped material, and if he neglects or omits so to do, or in any other manner delivers out, or states the amount of, any such appraisement or valuation, shall forfeit the sum of fifty pounds.

Penalty on the appraiser, 50*l.*

On other offenders, 20*l.*

(2.) Any person who receives from any appraiser, or pays for the making of, any appraisement or valuation, unless the same be written out and stamped as aforesaid, shall forfeit the sum of twenty pounds.

As to Instruments of Apprenticeship.

Interpretation of term.

39. Every writing relating to the service or tuition of any apprentice, clerk, or servant placed with any master to learn any profession, trade, or employment, (except articles of clerkship to attorneys and others, hereby specifically charged with duty,) is to be deemed an instrument of apprenticeship.

Premium or consideration to be set out in writing.

40. The full sum of money, and the value of any other matter or thing paid, given, or assigned, or secured to be paid, given, or assigned, to or for the benefit of the master, with or in respect of any apprentice, clerk, or servant (not being a person bound to serve in order to admission in any court) is to be fully and truly set forth in an instrument of apprenticeship; and if any such sum, or other matter or thing, be paid, given, assigned, or secured as aforesaid, and no such instrument be made, or if any such instrument be made, and such sum, or the value of such other matter or thing, be not set forth therein as aforesaid, the master, and also the apprentice himself, if of full age, and any other person, being a party to the contract, or by whom any such sum, or other matter or thing, is paid, given, assigned, or secured shall forfeit the sum of twenty pounds; and the contract, and the instrument (if any) containing the same, shall be null and void.

Penalty, 20*l.*, and the contract to be void.

As to original Articles of Clerkship.

Articles in England not to be charged with more than one duty of 80*l.*

41. (1.) Where the same articles are a qualification for the admission of any person, not only as an attorney or solicitor in any of Her Majesty's courts at Westminster, but also as an attorney or solicitor in any of the courts of the counties palatine of Lan-

caster and Durham, such articles are not to be charged with more than one duty of eighty pounds. A.D. 1870.

(2.) Where any person has become bound by duly stamped articles in order to his admission as an attorney or solicitor in any of the courts of the counties palatine of Lancaster and Durham, such articles shall, on payment of such further amount of duty as, together with the amount of duty previously paid thereon, will make up the sum of eighty pounds, be impressed with a stamp denoting the payment of such further duty, and shall thereupon be considered to be sufficiently stamped for the purpose of entitling such person to admission in any of the courts at Westminster. And in certain cases may be stamped with additional duty.

42. (1.) Where the same articles are a qualification for the admission of any person, not only as a writer to the signet, or as a solicitor, agent, or attorney in any of the courts of session, justiciary, or commission of teinds, but also as a procurator or solicitor in any inferior court in Scotland, such articles are not to be charged with more than one duty of sixty pounds. Articles in Scotland not to be charged with more than one duty of 60*l.*

(2.) Where any person has become bound by duly stamped articles in order to his admission as a procurator or solicitor in any inferior court in Scotland, such articles shall, on payment of such further amount of duty as, together with the amount previously paid thereon, will make up the sum of sixty pounds, be impressed with a stamp denoting the payment of such further duty, and shall thereupon be considered to be sufficiently stamped for entitling such person to admission as a writer to the signet, or as a solicitor, agent, or attorney in the court of session, justiciary, or commission of teinds. And in certain cases may be stamped with additional duty.

43. Save as herein-before provided, articles of clerkship are not to be stamped at any time after the expiration of six months from the date thereof, except upon payment of penalties, as follows: Terms upon which articles may be stamped after execution.

(1.) If brought to be stamped within one year after date, ten pounds:

(2.) If so brought after one year, and within five years after date—

For every complete year, and also for any additional part of a year elapsed since the date, ten pounds:

(3.) In every other case, fifty pounds.

44. The sum of fourteen pounds, part of the duty payable on articles of clerkship in Ireland, shall be carried to a separate Distinct account to be kept of 14*l.* pay-

A.D. 1870.

able to King's Inns, Dublin.

account, and paid over by the receiver-general of inland revenue to the treasurer of the society of King's Inns, Dublin, to be applied by him according to the directions of the said society.

As to Bank Notes, Bills of Exchange, and Promissory Notes.

Interpretation of terms.

45. The term "Banker" means and includes any corporation, society, partnership, and persons, and every individual person carrying on the business of banking in the United Kingdom.

The term "Bank note" means and includes—

(1.) Any bill of exchange or promissory note issued by any banker, other than the Governor and Company of the Bank of England, for the payment of money not exceeding one hundred pounds to the bearer on demand:

(2.) Any bill of exchange or promissory note so issued, which entitles or is intended to entitle the bearer or holder thereof, without indorsement, or without any further or other indorsement than may be thereon at the time of the issuing thereof, to the payment of money not exceeding one hundred pounds on demand, whether the same be so expressed or not, and in whatever form, and by whomsoever such bill or note is drawn or made.

Bank notes may be re-issued.

46. A bank note issued duly stamped, or issued unstamped by a banker duly licensed or otherwise authorized to issue unstamped bank notes, may be from time to time re-issued without being liable to any stamp duty by reason of such re-issuing.

Penalty for issuing an unstamped bank note, 50*l.*

47. (1.) If any banker, not being duly licensed or otherwise authorized to issue unstamped bank notes, issues, or causes or permits to be issued, any bank note not being duly stamped, he shall forfeit the sum of fifty pounds.

for receiving, 20*l.*

(2.) If any person receives or takes any such bank note in payment or as a security, knowing the same to have been issued unstamped contrary to law, he shall forfeit the sum of twenty pounds.

Interpretation of term "Bill of Exchange."

48. (1.) The term "Bill of Exchange" includes also draft, order, cheque, and letter of credit, and any document or writing (except a bank note) entitling or purporting to entitle any person, whether named therein or not, to payment by any other person of, or to draw upon any other person for, any sum of money therein mentioned.

(2.) An order for the payment of any sum of money by a bill of exchange or promissory note, or for the delivery of any bill of

exchange or promissory note in satisfaction of any sum of money, or for the payment of any sum of money, out of any particular fund which may or may not be available, or upon any condition or contingency which may or may not be performed or happen, is to be deemed for the purposes of this Act a bill of exchange drawn for the said sum of money.

(3.) An order made in the United Kingdom for the payment in the United Kingdom of any sum of money weekly, monthly, or at any other stated periods, and also any order made in the United Kingdom for the payment by any person in the United Kingdom at any time after the date thereof, of any sum of money, and sent or delivered by the person making the same to the person by whom the payment is to be made, and not to the person to whom the payment is to be made, or to any person on his behalf, is to be deemed for the purposes of this Act a bill of exchange for the payment of money on demand.

Interpretation of term "Promissory note."

49. (1.) The term "Promissory note" means and includes any document or writing (except a bank note) containing or importing a promise to pay any sum of money, and also any receipt for money which contains any agreement or memorandum importing that interest is to be paid for the money received.

(2.) A note promising the payment of any sum of money, out of any particular fund, which may or may not be available, or upon any condition or contingency which may or may not be performed or happen, is to be deemed for the purposes of this Act a promissory note for the said sum of money.

Certain bills liable to ad valorem as well as fixed duty.

50. A bill of exchange drawn in the United Kingdom, and payable on demand is, in the event of its being indorsed out of the United Kingdom, chargeable with the ad valorem duty imposed by this Act on a bill of exchange, in addition to the fixed duty of one penny.

The fixed duty may be denoted by adhesive stamp.

51. The fixed duty of one penny on a bill of exchange for the payment of money on demand may be denoted by an adhesive stamp, which is to be cancelled by the person by whom the bill is signed, before he delivers it out of his hands, custody, or power.

Ad valorem duties to be denoted in certain cases by adhesive stamps.

52. (1.) The ad valorem duties upon the following instruments; that is to say,

(*a.*) Bills of exchange drawn out of the United Kingdom:

(*b.*) Bills of exchange drawn in the United Kingdom and payable on demand and indorsed out of the United Kingdom:

(*c.*) Promissory notes made out of the United Kingdom:

are to be denoted by adhesive stamps.

A.D. 1870.

(2.) Every person into whose hands any such bill or note comes in the United Kingdom before it is stamped, shall, before he presents for payment, or indorses, transfers, or in any manner negotiates, or pays such bill or note, affix thereto a proper adhesive stamp or proper adhesive stamps of sufficient amount, and cancel every stamp so affixed thereto.

Provisoes for the protection of bonâ fide holders;

(3.) Provided as follows:—

(*a.*) If, at the time when any such bill or note comes into the hands of any bonâ fide holder thereof, there is affixed thereto an adhesive stamp effectually obliterated, and purporting and appearing to be duly cancelled, such stamp shall, so far as relates to such holder, be deemed to be duly cancelled, although it may not appear to have been so affixed or cancelled by the proper person.

(*b.*) If, at the time when any such bill or note comes into the hands of any bonâ fide holder thereof, there is affixed thereto an adhesive stamp not duly cancelled, it shall be competent for such holder to cancel such stamp, as if he were the person by whom it was affixed, and upon his so doing such bill or note shall be deemed duly stamped, and as valid and available as if the stamp had been duly cancelled by the person by whom it was affixed.

not to relieve any other person.

(4.) But neither of the foregoing provisoes is to relieve any person from any penalty incurred by him for not cancelling any adhesive stamp.

Bills and notes purporting to be drawn, &c. abroad, to be deemed to have been so drawn, &c.

53. A bill of exchange or promissory note, purporting to be drawn, or indorsed, or made out of the United Kingdom, is, for the purposes of this Act, to be deemed to have been so drawn, or indorsed, or made, although it may in fact have been drawn, or indorsed, or made within the United Kingdom.

Terms upon which bills and notes may be stamped after execution.

54. (1.) Where a bill of exchange or promissory note has been written on material bearing an impressed stamp of sufficient amount, but of improper denomination, it may be stamped with the proper stamp, on payment of the duty, and a penalty of forty shillings, if the bill or note be not then payable according to its tenor, and of ten pounds, if the same be so payable.

(2.) Except as aforesaid, no bill of exchange or promissory note shall be stamped with an impressed stamp after the execution thereof.

Penalty for issuing, &c. any unstamped bill

55. (1.) Every person who issues, indorses, transfers, negotiates, presents for payment, or pays any bill of exchange or promissory

note liable to duty and not being duly stamped, shall forfeit the sum of fifty pounds; and the person who takes or receives from any other person any such bill or note not being duly stamped, either in payment, or as a security, or by purchase, or otherwise, shall not be entitled to recover thereon, or to make the same available for any purpose whatever. A.D. 1870. or note, 50*l.*; and the bill or note to be unavailable.

(2.) Provided that if any bill of exchange for the payment of money on demand, liable only to the duty of one penny, is presented for payment unstamped, the person to whom it is so presented may affix thereto a proper adhesive stamp, and cancel the same, as if he had been the drawer of the bill, and may, upon so doing, pay the sum in the said bill mentioned, and charge the duty in account against the person by whom the bill was drawn, or deduct such duty from the said sum, and such bill is, so far as respects the duty, to be deemed good and valid. Proviso as to the fixed duty;

(3.) But the foregoing proviso is not to relieve any person from any penalty he may have incurred in relation to such bill. not to relieve from penalty.

56. Every person to whom any bill of exchange or promissory note (except a bank note) is presented for payment, shall, upon paying the same, forthwith cancel it, and also write upon every adhesive stamp (if any) affixed to the bill or note the word "paid," to the end that such stamp may be effectually cancelled; and in default of so doing shall forfeit the sum of fifty pounds. Persons paying bills or notes to cancel them, and adhesive stamps. Penalty, 50*l.*

57. When a bill of exchange is drawn in a set according to the custom of merchants, and one of the set is duly stamped, the other or others of the set shall, unless issued or in some manner negotiated apart from such duly stamped bill, be exempt from duty; and upon proof of the loss or destruction of a duly stamped bill forming one of a set, any other bill of the set, which has not been issued, or in any manner negotiated, apart from such lost or destroyed bill, may, although unstamped, be admitted in evidence to prove the contents of such lost or destroyed bill. One bill only out of a set need be stamped.

As to Bills of Lading.

58. (1.) A bill of lading is not to be stamped after the execution thereof. Bills of lading.

(2.) Every person who makes or executes any bill of lading not duly stamped, shall forfeit the sum of fifty pounds.

A.D. 1870.

As to Bills of Sale.

Bills of sale.

59. A copy of a bill of sale is not to be filed in any court, unless the original, duly stamped, is produced to the proper officer.

As to Bonds given in relation to the Duties of Customs and Excise.

Bonds not to include goods, &c. belonging to more than one person.

60. If any person required by any Act of Parliament, or by the direction of the Commissioners of Customs or Inland Revenue, or any of their officers, to give or enter into any bond for or in respect of any duties of customs or excise, or for preventing frauds or evasions thereof, or for any matter or thing relating thereto, includes in one and the same bond any goods or things belonging to more persons than one, not being co-partners or joint tenants, or tenants in common, he shall for every such offence forfeit the sum of fifty pounds.

Penalty 50*l.*

As to the Certificates of Attorneys and others.

Penalty for practising without a certificate,

61. (1.) Every person who in any part of the United Kingdom—

(*a.*) Directly or indirectly acts or practises in any court as an attorney, solicitor, proctor, writer to the signet, agent, or procurator, or as a notary public, without having in force at the time a duly stamped certificate according to the provisions herein-after contained and referred to:

or not making true statement, on application for certificate.

(*b.*) On applying for any such certificate, does not truly specify the facts and circumstances upon which the amount of duty chargeable upon his certificate depends:

50*l.*, and incapacity to recover fees, &c.

Shall forfeit the sum of fifty pounds, and shall be incapable of maintaining any action or suit for the recovery of any fee, reward, or disbursement, on account of, or in relation to, any act or proceeding done or taken by him in any such capacity.

(2.) Any person in whose name, either alone or together with any other person, any proceeding is taken in any court, shall, unless the proceeding is set aside by the court as irregular, or unless the contrary is otherwise satisfactorily proved, be deemed to have acted in such proceeding.

Penalty on unqualified persons preparing instruments, 50*l.*

62. Every person who (not being a serjeant-at-law, barrister, or a duly certificated attorney, solicitor, proctor, notary public, writer to the signet, agent, procurator, conveyancer, special pleader, or draftsman in equity) either directly or indirectly, for or in expectation of any fee, gain, or reward, draws or prepares any instrument relating to real or personal estate, or any proceedings in law or equity, shall forfeit the sum of fifty pounds.

Proviso.

Provided as follows:—

(1.) This section does not extend to—

(*a.*) Any public officer drawing or preparing instruments in the course of his duty:

(*b.*) Any person employed merely to engross any instrument or proceedings.

(2.) The term "instrument" in this section does not include—

(*a.*) Wills or other testamentary instruments:

(*b.*) Agreements under hand only:

(*c.*) Letters or powers of attorney:

(*d.*) Transfers of stock containing no trust or limitation thereof:

One certificate only in England, Scotland, or Ireland.

63. It shall not be necessary for any person to take out in England, Scotland, or Ireland more than one certificate for any one year.

Certificates of attorneys and others in England and Ireland, to be taken out and stamped according to the provisions of Acts relating thereto.

64. The certificates of attorneys, solicitors, and proctors in England and Ireland are to be applied for, taken out, issued, dated, and stamped,—

(1.) In England, in accordance with the provisions in that behalf of an Act of the sixth and seventh years of Her Majesty, intituled, "An Act for consolidating and amending "several of the Laws relating to attorneys and solicitors," and of an Act of the twenty-third and twenty-fourth years of Her Majesty, intituled, "An Act to amend the Laws "relating to Attorneys and Solicitors and certificated "Conveyancers."

(2.) In Ireland, in accordance with the provisions in that behalf of "The Attorneys and Solicitors Act, Ireland, 1866."

Other Certificates how to be taken out and stamped.

65. Every person required to take out a certificate to authorize him to practise—

(1.) In Scotland, as a writer to the signet, solicitor, agent, or procurator:

(2.) In England or Ireland, as a conveyancer, special pleader, or draftsman in equity:

(3.) In any part of the United Kingdom, as a notary public:

Shall, yearly and every year, before he does any act in any of the aforesaid capacities, deliver to the commissioners, or to their proper officer, in such manner and form as they shall direct, a note in writing stating his full name and the place where he carries on his business, and thereupon, and upon payment of the proper duty, shall be entitled to such certificate, which is to be duly stamped and issued to him by the commissioners.

A.D. 1870.

Certain certificates to be dated and to expire as in this section mentioned.

66. The certificates in this section specified are to be dated and to expire at the times herein-after in that behalf mentioned; that is to say,

(1.) The certificates of writers to the signet, solicitors, agents, attorneys, procurators, and notaries public in Scotland, and of conveyancers, special pleaders, and draftsmen in equity in England, are to be dated, if taken out between the thirty-first of October and the first of December, on the first of November, and if taken out at any other time, on the day on which they are issued, and are in all cases to expire on the thirty-first of October next after their date.

(2.) The certificates of notaries public in England are to be dated, if taken out between the fifteenth of November and the sixteenth of December, on the sixteenth of November, and if taken out at any other time, on the day on which they are issued, and are in all cases to expire on the fifteenth of November next after their date.

(3.) The certificates of conveyancers, special pleaders, draftsmen in equity, and notaries public in Ireland, are to be dated on the day on which they are issued, and are to expire, as to the certificates of notaries public, on the twenty-fifth day of March next after their date, and in all other cases on the sixth day of January next after their date.

As to the Certificate of Registration of a Design.

Duty to be denoted by an appropriated stamp.

67. The duty of five pounds upon the certificate of the registration of a design is to be denoted by a stamp to be specially appropriated for expressing and denoting the said duty.

As to Charter Parties.

Duty may be denoted by an adhesive stamp.

68. The duty upon an instrument chargeable with duty as a charter-party may be denoted by an adhesive stamp, which is to be cancelled by the person by whom the instrument is last executed, or by whose execution it is completed as a binding contract.

As to charter-parties executed abroad.

69. Where any document chargeable with duty as a charter-party, and not being duly stamped, is first executed out of the United Kingdom, any party thereto may, within ten days after it has been first received in the United Kingdom, and before it has been executed by any person in the United Kingdom, affix thereto an adhesive stamp denoting the duty chargeable thereon, and at the same time cancel such adhesive stamp; and the instrument with

an adhesive stamp thereon so affixed and cancelled shall be deemed duly stamped. A.D. 1870.

Terms upon which charter-parties may be stamped after execution.

70. An executed instrument chargeable with duty as a charter-party, and not being duly stamped, may be stamped with an impressed stamp upon the following terms; that is to say,

(1.) Within seven days after the first execution thereof, on payment of the duty and a penalty of four shillings and sixpence:

(2.) After seven days, but within one month after the first execution thereof, on payment of the duty and a penalty of ten pounds:

And shall not in any other case be stamped with an impressed stamp.

As to Contract Notes.

Duty may be denoted by adhesive stamp.

71. (1.) The duty on a contract note may be denoted by an adhesive stamp, which is to be cancelled by the person by whom the note is first executed.

Penalty for making an unstamped note, 20*l.*;

(2.) Every person who makes or executes any contract note chargeable with duty, and not being duly stamped, shall forfeit the sum of twenty pounds.

and no brokerage, &c. recoverable.

(3.) No broker, agent, or other person shall have any legal claim to any charge for brokerage, commission, or agency, with reference to the sale or purchase of any stock or marketable security of the value of five pounds or upwards, mentioned or referred to in any contract note, unless such note is duly stamped.

As to Conveyances on Sale.

Interpretation of term.

72. The term "Conveyance on sale" includes every instrument, and every decree or order of any court or of any commissioners, whereby any property upon the sale thereof is legally or equitably transferred to or vested in the purchaser, or any other person on his behalf or by his direction.

How ad valorem duty to be calculated in respect of stock and securities.

73. (1.) Where the consideration, or any part of the consideration, for a conveyance on sale consists of any stock or marketable security, such conveyance is to be charged with ad valorem duty in respect of the value of such stock or security.

(2.) Where the consideration, or any part of the consideration, for a conveyance on sale consists of any security not being a marketable security, such conveyance is to be charged with ad

A.D. 1870.

valorem duty in respect of the amount due on the day of the date thereof for principal and interest upon such security.

How consideration consisting of periodical payments to be charged.

74. (1.) Where the consideration, or any part of the consideration, for a conveyance on sale consists of money payable periodically for a definite period, so that the total amount to be paid can be previously ascertained, such conveyance is to be charged in respect of such consideration with ad valorem duty on such total amount.

(2.) Where the consideration, or any part of the consideration, for a conveyance on sale consists of money payable periodically in perpetuity, or for any indefinite period not terminable with life, such conveyance is to be charged in respect of such consideration with ad valorem duty on the total amount, which will or may, according to the terms of sale, be payable during the period of twenty years next after the day of the date of such instrument.

(3.) Where the consideration, or any part of the consideration, for a conveyance on sale consists of money payable periodically during any life or lives, such conveyance is to be charged in respect of such consideration with ad valorem duty on the amount, which will or may, according to the terms of sale, be payable during the period of twelve years next after the day of the date of such instrument.

(4.) Provided that no conveyance on sale, chargeable with ad valorem duty in respect of any periodical payments, and containing also provision for securing such periodical payments, is to be charged with any duty whatsoever in respect of such provision.

How conveyance in consideration of a debt, or subject to future payment, &c. to be charged.

75. Where any property is conveyed to any person in consideration, wholly or in part, of any debt due to him, or subject either certainly or contingently to the payment or transfer of any money or stock, whether being or constituting a charge or incumbrance upon the property or not, such debt, money, or stock is to be deemed the whole, or part, as the case may be, of the consideration in respect whereof the conveyance is chargeable with ad valorem duty.

Direction as to duty in certain cases.

76. (1.) Where any property has been contracted to be sold for one consideration for the whole, and is conveyed to the purchaser in separate parts or parcels by different instruments, the consideration is to be apportioned in such manner as the parties think fit, so that

a distinct consideration for each separate part or parcel is set forth in the conveyance relating thereto, and such conveyance is to be charged with ad valorem duty in respect of such distinct consideration. A.D. 1870.

(2.) Where property contracted to be purchased for one consideration for the whole by two or more persons jointly, or by any person for himself and others, or wholly for others, is conveyed in parts or parcels by separate instruments to the persons by or for whom the same was purchased, for distinct parts of the consideration, the conveyance of each separate part or parcel is to be charged with ad valorem duty in respect of the distinct part of the consideration therein specified.

(3.) Where a person, having contracted for the purchase of any property, but not having obtained a conveyance thereof, contracts to sell the same to any other person, and the property is, in consequence, conveyed immediately to the sub-purchaser, the conveyance is to be charged with ad valorem duty in respect of the consideration for the sale by the original purchaser to the sub-purchaser.

(4.) Where a person having contracted for the purchase of any property, but not having obtained a conveyance, contracts to sell the whole, or any part or parts thereof, to any other person or persons, and the property is, in consequence, conveyed by the original seller to different persons in parts or parcels, the conveyance of each part or parcel is to be charged with ad valorem duty, in respect only of the consideration moving from the sub-purchaser thereof, without regard to the amount or value of the original consideration.

(5.) Where a sub-purchaser takes an actual conveyance of the interest of the person immediately selling to him, which is chargeable with ad valorem duty in respect of the consideration moving from him, and is duly stamped accordingly, any conveyance to be afterwards made to him of the same property by the original seller shall be exempt from the said ad valorem duty, and chargeable only with the duty to which it may be liable under any general description; but such last-mentioned duty shall not exceed the ad valorem duty.

As to the sale of an annuity or right not before in existence.

77. Where upon the sale of any annuity or other right not before in existence, such annuity or other right is not created by actual grant or conveyance, but is only secured by bond, warrant of attorney, covenant, contract, or otherwise, the bond or other

A.D. 1870.

instrument, or some one of such instruments, if there be more than one, is to be charged with the same duty as an actual grant or conveyance, and is for all the purposes of this Act to be deemed an instrument of conveyance on sale.

Where several instruments, the principal instrument only to be charged with ad valorem duty.

78. Where there are several instruments of conveyance for completing the purchaser's title to the property sold, the principal instrument of conveyance only is to be charged with ad valorem duty, and the other instruments are to be respectively charged with such other duty as they may be liable to, but such last-mentioned duty shall not exceed the ad valorem duty payable in respect of the principal instrument.

Principal instrument, how to be ascertained.

79. (1.) In the cases below specified the principal instrument is to be ascertained in the following manner:—

(*a.*) Where any copyhold or customary estate is conveyed by a deed, no surrender being necessary, the deed is to be deemed the principal instrument:

(*b.*) In other cases of copyhold or customary estates, the surrender or grant, if made out of court, or the memorandum thereof, and the copy of court roll of the surrender or grant, if made in court, shall be deemed the principal instrument:

(*c.*) Where in Scotland there is a disposition or assignation executed by the seller, and any other instrument is executed for completing the title, the disposition or assignation is to be deemed the principal instrument.

(2.) In any other case the parties may determine for themselves which of several instruments is to be deemed the principal instrument, and may pay the ad valorem duty thereon accordingly.

As to Conveyances on any occasion except Sale or Mortgage.

What is to be deemed a conveyance on any occasion, not being a sale or mortgage.

80. Every instrument, and every decree or order of any court or of any commissioners, whereby any property on any occasion, except a sale or mortgage, is transferred to or vested in any person, is chargeable with duty as a conveyance or transfer of property.

As to attested Copies and Extracts.

Certain copies and extracts may be stamped without penalty within

81. An attested or otherwise authenticated copy or extract of or from—

(1.) An instrument chargeable with any duty;

(2.) An original will, testament, or codicil;

(3.) The probate or probate copy of a will or codicil;

(4.) Letters of administration or a confirmation of a testament; may be stamped at any time within fourteen days after the date of the attestation or authentication, on payment of the duty only without any penalty. A.D. 1870. 14 days after attestation.

As to certified Copies and Extracts from Registers of births, &c.

82. The duty upon a certified copy or extract of or from any register of births, baptisms, marriages, deaths, or burials, is to be paid by the person requiring the copy or extract, and may be denoted by an adhesive stamp, which is to be cancelled by the person by whom the copy or extract is signed, before he delivers the same out of his hands, custody, or power. By whom duty to be paid; may be denoted by adhesive stamp.

As to Copyhold and Customary Estates.

83. (1.) The copy of court roll of a surrender or grant made out of court shall not be admissible or available as evidence of the surrender or grant, unless the surrender or grant, or the memorandum thereof, is duly stamped, of which fact the certificate of the steward of the manor on the face of such copy shall be sufficient evidence. Payment of duty to be certified.

(2.) The entry upon the court rolls of a surrender or grant shall not be admissible or available as evidence of the surrender or grant unless the surrender or grant, if made out of court, or the memorandum thereof, or the copy of court roll of the surrender or grant, if made in court, is duly stamped, of which fact the certificate of the steward of the manor in the margin of such entry shall be sufficient evidence.

84. No instrument is to be charged more than once with duty by reason of relating to several distinct tenements, in respect whereof several fines or fees are due to the lord or steward of the manor. Not to be charged more than once.

85. (1.) All the facts and circumstances affecting the liability to ad valorem duty of the copy of court roll of any surrender or grant made in court, or the amount of ad valorem duty with which any such copy of court roll is chargeable, are to be fully and truly stated in a note to be delivered to the steward of the manor before the surrender or grant is made. Facts and circumstances affecting duty—how to be stated.

(2.) Every person who, with intent to defraud Her Majesty, her heirs or successors, Penalty 50*l.*

(*a.*) Makes in court any surrender before such a note as aforesaid has been delivered to the steward of the manor:

(*b.*) Being employed or concerned in or about the preparation of any such note as aforesaid, neglects, or omits fully and truly to state therein all the above-mentioned facts and circumstances:

Shall forfeit the sum of fifty pounds.

A.D. 1870.

Steward to refuse to perform certain acts.

86. The steward of every manor shall refuse—

(1.) To accept in court any surrender, or to make in court any grant, until such a note as is required by the last preceding section has been delivered to him:

(2.) To enter on the court rolls, or accept any presentment of, or admit any person to be tenant under or by virtue of, any surrender or grant made out of court, or any deed which is not duly stamped:

Penalty for not refusing, 50*l.*

And in any case in which he does not so refuse, shall forfeit the sum of fifty pounds.

Steward to make out duly stamped copies.

87. The steward of every manor shall, within four months from the day on which any surrender or grant is made in court, make out a duly stamped copy of court roll of such surrender or grant, and have the same ready for delivery to the person entitled thereto; and if he neglects so to do, shall forfeit the sum of fifty pounds; and the duty payable in respect of such copy of court roll shall be a debt to Her Majesty, her heirs or successors, from such steward, whether he shall have received it or not, and shall be recoverable by the summary means provided for the recovery of duties received and not applied, and if he has not received the duty, the same shall also be a debt to Her Majesty, her heirs or successors, from the party entitled to such copy, and recoverable from him in manner aforesaid.

Penalty for neglect, 50*l.*; and to be liable for the duty.

Steward may refuse to proceed except on payment of his fees and duty.

88. The steward of any manor may, before he accepts in court any surrender or makes in court any grant, demand and insist on the payment of his lawful fees in relation to the surrender or grant, together with the duty payable on the copy of court roll thereof, and may refuse to proceed in any such matter or to deliver such copy of court roll to any person until such fees and duty are paid.

As to Delivery Orders and Warrants for Goods.

Interpretation of term.

89. The term "Delivery order" means any document or writing entitling, or intended to entitle, any person therein named, or his assigns, or the holder thereof, to the delivery of any goods, wares, or merchandise, of the value of forty shillings, or upwards, lying in any dock or port, or in any warehouse in which goods are stored or deposited on rent or hire, or upon any wharf, such document or writing being signed by or on behalf of the owner of such goods, wares, or merchandise, upon the sale or transfer of the property therein.

Interpretation of term.

90. The term "Warrant for goods" means any document or writing, being evidence of the title of any person therein named, or his assigns, or the holder thereof, to the property in any goods,

wares, or merchandise lying in any warehouse or dock, or upon any wharf, and signed or certified by or on behalf of the person having the custody of such goods, wares, or merchandise. A.D. 1870.

Duty may be denoted by an adhesive stamp.

91. The duty upon a delivery order, or warrant for goods, may be denoted by an adhesive stamp, which is to be cancelled by the person by whom the instrument is made, executed, or issued.

By whom duty on delivery order to be paid.

92. The duty upon a delivery order is, in the absence of any special stipulation, to be paid by the person to whom the order is given, and any person, from whom a delivery order chargeable with duty is required, may refuse to give it, unless or until the amount of the duty is paid to him.

What documents to be chargeable as delivery orders.

93. (1.) Every document or writing in the nature of a delivery order is to be deemed to have been given upon a sale of, or transfer of the property in, goods, wares, or merchandise, of the value of forty shillings or upwards, unless the contrary is expressly stated therein, and every person who

Penalty for making false statement,

(*a.*) Untruly states, or knowingly or willingly allows it to be untruly stated, in any such document or writing, either that the transaction to which it relates is not a sale or transfer of property, or that the goods, wares, or merchandise to which it relates are not of the value of forty shillings.

or signing, &c.

(*b.*) Makes, signs, or issues any delivery order chargeable with duty, but not being duly stamped.

or making use of any order not duly stamped, or containing any false statement, 20*l.*

(*c.*) Knowingly or wilfully, either himself, or by his servant or any other person, procures or requires or authorizes the delivery of, or delivers, any goods, wares, or merchandise mentioned in any delivery order, which is not duly stamped, or which contains to his knowledge any false statement with reference either to the nature of the transaction, or the value of the goods, wares, or merchandise, shall forfeit the sum of twenty pounds.

(2.) But no delivery order is, by reason of the same being unstamped, to be deemed invalid in the hands of the person having the custody of, or delivering out, the goods, wares, or merchandise therein mentioned, unless such person is proved to have been party or privy to some fraud on the revenue in relation thereto.

Penalty for making, &c. unstamped warrant, 20*l.*

94. Every person who makes, executes, or issues, or receives or takes by way of security or indemnity, any warrant for goods not being duly stamped, shall forfeit the sum of twenty pounds.

A.D. 1870.

As to Duplicates and Counterparts.

When duly stamped.

95. The duplicate or counterpart of an instrument chargeable with duty (except the counterpart of an instrument chargeable as a lease, such counterpart not being executed by or on behalf of any lessor or grantor) is not to be deemed duly stamped, unless it is stamped as an original instrument, or unless it appears by some stamp impressed thereon that the full and proper duty has been paid upon the original instrument of which it is the duplicate or counterpart.

As to Exchange or Excambion and Partition or Division.

As to exchange or excambion, &c.

96. Where, upon the exchange of any real or heritable property for any other real or heritable property, or upon the partition or division of any real or heritable property, any consideration exceeding in amount or value one hundred pounds is paid, or given, or agreed to be paid or given, for equality, the principal or only instrument whereby such exchange or partition or division is effected is to be charged with the same ad valorem duty as a conveyance on sale for such consideration, and with such duty only, and where in any such case there are several instruments for completing the title of either party, the principal instrument is to be ascertained, and the other instruments are to be charged with duty, according to the provisions of the seventy-eighth and seventy-ninth sections of this Act.

As to Grants of Honours and Dignities.

How to be charged in certain cases.

97. (1.) Where two or more honours or dignities are granted by the same letters patent to the same person, such letters patent are to be charged with the proper duty in respect of the highest in point of rank only.

(2.) Where any honour, or dignity, honours or dignities, is or are granted to any person or persons in remainder, the letters patent are to be charged with such further duty in respect of every remainder as would have been payable for an original grant of the same honour or dignity, honours or dignities.

As to Leases, &c.

Agreements for not more than thirty-five years to be charged as leases.

98. (1.) An agreement for a lease or tack, or with respect to the letting of any lands, tenements, or heritable subjects for any term not exceeding thirty-five years, is to be charged with the same duty as if it were an actual lease or tack made for the term and consideration mentioned in the agreement.

(2.) A lease or tack made subsequently to, and in conformity with, such an agreement duly stamped is to be charged with the duty of sixpence only.

A.D. 1870.

Leases how to be charged in respect of produce, &c.

99. (1.) Where the consideration, or any part of the consideration, for which any lease or tack is granted, or agreed to be granted, does not consist of money, but consists of any produce or other goods, the value of such produce or goods is to be deemed a consideration in respect of which the lease or tack or agreement is chargeable with ad valorem duty, and where it is stipulated that the value of such produce or goods is to amount at least to, or is not to exceed, a given sum, or where the lessee is specially charged with, or has the option of paying after, any permanent rate of conversion, the value of such produce or goods is, for the purpose of assessing the ad valorem duty, to be estimated at such given sum, or according to such permanent rate.

Effect of statement of value.

(2.) A lease or tack or agreement made either entirely or partially for any such consideration, if it contains a statement of the value of such consideration, and is stamped in accordance with such statement, is, so far as regards the subject matter of such statement, to be deemed duly stamped, unless or until it is otherwise shown that such statement is incorrect, and that it is in fact not duly stamped.

Directions as to duty in certain cases.

100. (1.) A lease or tack, or agreement for a lease or tack, or with respect to any letting, is not to be charged with any duty in respect of any penal rent, or increased rent in the nature of a penal rent, thereby reserved or agreed to be reserved or made payable, or by reason of being made in consideration of the surrender or abandonment of any existing lease, tack, or agreement of or relating to the same subject matter.

(2.) No lease made for any consideration or considerations in respect whereof it is chargeable with ad valorem duty, and in further consideration, either of a covenant by the lessee to make, or of his having previously made, any substantial improvement of or addition to the property demised to him, or of any covenant relating to the matter of the lease, is to be charged with any duty in respect of such further consideration.

Duty in certain cases may be denoted by adhesive stamp.

101. The duty upon an instrument chargeable with duty as a lease or tack for any definite term less than a year of—

(1.) Any dwelling house or tenement, or part of a dwelling house or tenement, at a rent not exceeding the rate of ten pounds per annum,

(2.) Any furnished dwelling house or apartments,

Or upon the duplicate or counterpart of any such instrument, may be denoted by an adhesive stamp, which is to be cancelled by the person by whom the instrument is first executed.

A.D. 1870.

Penalty in certain cases.

102. (1.) Every person who executes, or prepares or is employed in preparing, any instrument upon which the duty may, under the provisions of the last preceding section, be denoted by an adhesive stamp, and which is not, at or before the execution thereof, duly stamped, shall forfeit the sum of five pounds.

Proviso.

(2.) Provided that nothing in this section contained shall render any person liable to the said penalty of five pounds in respect of any letters or correspondence.

As to Letters of Allotment, Scrip Certificates, and Scrip.

Penalty for executing, &c. not duly stamped, 20*l.*

103. Every person who executes, grants, issues, or delivers out any document chargeable with duty as a letter of allotment, letter of renunciation, or scrip certificate, or as scrip, before the same is duly stamped, shall forfeit the sum of twenty pounds.

As to Letters or Powers of Attorney, and Voting Papers.

Proxies and voting papers confined to one meeting.

104. (1.) Every letter or power of attorney for the purpose of appointing a proxy to vote at a meeting, and every voting paper, hereby respectively charged with the duty of one penny, is to specify the day upon which the meeting at which it is intended to be used is to be held, and is to be available only at the meeting so specified, or any adjournment thereof.

Duty may be denoted by adhesive stamp.

(2.) The said duty of one penny may be denoted by an adhesive stamp, which is to be cancelled by the person by whom the instrument is executed.

Penalty for executing, &c. not duly stamped, 50*l.*,

(3.) Every person who makes or executes, or votes, or attempts to vote, under or by means of, any such letter or power of attorney, or voting paper, not being duly stamped, shall forfeit the sum of fifty pounds.

and vote void,

(4.) Every vote given or tendered under the authority or by means of any such letter, or power of attorney, or voting paper, not being duly stamped, shall be absolutely null and void.

may not be stamped after execution.

(5.) And no such letter or power of attorney, or voting paper shall on any pretence whatever be stamped after the execution thereof by any person.

Power relating to Government stocks— how to be charged.

105. A letter or power of attorney for the sale, transfer, or acceptance of any of the Government or Parliamentary stocks or funds, duly stamped for that purpose, is not to be charged with any further duty by reason of containing an authority for the receipt of the dividends on the same stocks or funds.

A.D. 1870.

Order to pay dividends not power of attorney.

106. A writing under hand only, containing an order, request, or direction from the owner or proprietor of any stock, to any company, or to any officer of any company, or to any banker, to pay the dividends or interest arising from such stock to any person therein named, is not chargeable with duty as a letter or power of attorney.

As to Mortgages, &c.

Interpretation of term.

107. The term "mortgage" means a security by way of mortgage for the payment of any definite and certain sum of money advanced or lent at the time, or previously due and owing, or forborne to be paid, being payable, or for the repayment of money to be thereafter lent, advanced, or paid, or which may become due upon an account current, together with any sum already advanced or due, or without, as the case may be:

And includes—

Conditional surrender by way of mortgage, further charge, wadset, and heritable bond, disposition, assignation, or tack in security, and eik to a reversion of or affecting any lands, estate, or property, real or personal, heritable or moveable, whatsoever:

Also any deed containing an obligation to infeft any person in an annual rent, or in lands or other heritable subjects in Scotland, under a clause of reversion, but without any personal bond or obligation therein contained for payment of the money or stock intended to be secured:

Also any conveyance of any lands, estate, or property whatsoever in trust to be sold or otherwise converted into money, intended only as a security, and redeemable before the sale or other disposal thereof, either by express stipulation or otherwise, except where such conveyance is made for the benefit of creditors generally, or for the benefit of creditors specified who accept the provision made for payment of their debts in full satisfaction thereof, or who exceed five in number:

Also any defeazance, letter of reversion, back bond, declaration, or other deed or writing for defeating or making redeemable or explaining or qualifying any conveyance, disposition, assignation, or tack of any lands, estate, or property whatsoever, apparently absolute but intended only as a security:

Also any agreement, contract, or bond accompanied with a deposit of title deeds for making a mortgage, wadset, or any such other security or conveyance as aforesaid of any lands, estate, or property comprised in such title deeds, or for pledging or charging the same as a security:

A.D. 1870.

And also any deed whereby a real burden is declared or created on lands or heritable subjects in Scotland.

Security for stock, how to be charged.

108. A security for the transfer or retransfer of any stock is to be charged with the same duty as a similar security for a sum of money equal in amount to the value of such stock; and a transfer, assignment, disposition, or assignation of any such security, and a reconveyance, release, discharge, surrender, re-surrender, warrant to vacate, or renunciation of any such security shall be charged with the same duty as an instrument of the same description relating to a sum of money equal in amount to the value of such stock.

Security for future advances, how to be charged.

109. (1.) A security for the payment or repayment of money to be lent, advanced, or paid, or which may become due upon an account current, either with or without money previously due, is to be charged, where the total amount secured or to be ultimately recoverable is in any way limited, with the same duty as a security for the amount so limited.

(2.) Where such total amount is unlimited, the security is to be available for such an amount only as the ad valorem duty impressed thereon extends to cover.

Proviso.

(3.) Provided that no money to be advanced for the insurance of any property comprised in any such security against damage by fire, or for keeping up any policy of life insurance comprised in such security, or for effecting in lieu thereof any new policy, or for the renewal of any grant or lease of any property comprised in such security upon the dropping of any life whereon such property is held, shall be reckoned as forming part of the amount in respect whereof the security is chargeable with ad valorem duty.

Security for repayment by periodical payments how to be charged.

110. A security for the payment of any rentcharge, annuity, or periodical payments, by way of repayment, or in satisfaction or discharge of any loan, advance, or payment intended to be so repaid, satisfied, or discharged, is to be charged with the same duty as a similar security for the payment of the sum of money so lent, advanced, or paid.

As to transfers and further charges.

111. No transfer of a duly stamped security, and no security by way of further charge for money or stock, added to money or stock previously secured by a duly stamped instrument, is to be charged with any duty by reason of containing any further or additional security for the money or stock transferred or previously secured, or the interest or dividends thereof, or any new covenant, proviso, power, stipulation, or agreement in relation thereto, or any further assurance of the property comprised in the transferred or previous security.

A.D. 1870.

As to copyholds.

112. (1.) Where any copyhold or customary lands or hereditaments are mortgaged alone by means of a conditional surrender or grant, the ad valorem duty is to be charged on the surrender or grant, if made out of court, or the memoradum thereof, and on the copy of court roll of the surrender or grant, if made in court.

(2.) Where any copyhold or customary lands or hereditaments are mortgaged, together with other property, for securing the same money or the same stock, the ad valorem duty is to be charged on the instrument relating to the other property, and the surrender or grant, or the memorandum thereof, or the copy of court roll of the surrender or grant, as the case may be, is to be charged with duty, as if the surrender or grant were not made upon a mortgage, but such last-mentioned duty shall not exceed the said ad valorem duty.

As to mortgage with conveyance of equity of redemption.

113. An instrument chargeable with ad valorem duty as a mortgage is not to be charged with any other duty, by reason of the equity of redemption in the mortgaged property being thereby conveyed or limited in any other manner than to, or in trust for, or according to the direction of, a purchaser.

Exemption from stamp duty in favour of benefit building societies restricted.

114. The exemption from stamp duty conferred by the Act of the sixth and seventh years of King William the Fourth, chapter thirty-two, for the Regulation of Benefit Building Societies, shall not extend to any mortgage to be made after the passing of this Act, except a mortgage by a member of a benefit building society for securing the repayment to the society of money not exceeding five hundred pounds.

Interpretation of term "Foreign security."

115. The term "Foreign security" means and includes every security for money by or on behalf of any foreign or colonial state, government, municipal body, corporation, or company, bearing date or signed after the third day of June one thousand eight hundred and sixty-two, (except an instrument chargeable with duty as a bill of exchange or promissory note),

(1.) Which is made or issued in the United Kingdom:

(2.) Upon which any interest is payable in the United Kingdom:

(3.) Which is assigned, transferred, or in any manner negotiated in the United Kingdom.

Penalty for issuing, &c. any foreign security not dulystamped, 20*l.*

116. Every person who in the United Kingdom makes, issues, assigns, transfers, or negotiates, or pays any interest upon, any foreign security not being duly stamped, shall forfeit the sum of twenty pounds.

A.D. 1870.

Foreign securities may be stamped without penalty.

117. The Commissioners may at any time, without reference to the date thereof, allow any foreign security to be stamped without the payment of any penalty, upon being satisfied, in any manner that they may think proper, that it was not made or issued, and has not been transferred, assigned, or negotiated within the United Kingdom, and that no interest has been paid thereon within the United Kingdom.

As to Notarial Acts.

Duty may be denoted by adhesive stamp.

118. The duty upon a notarial act, and upon the protest by a notary public of a bill of exchange or promissory note, may be denoted by an adhesive stamp, which is to be cancelled by the notary.

As to Policies of Insurance.

Interpretation of terms, &c.

119. (1.) The term "Insurance" includes assurance, and the term "Policy" includes every writing whereby any contract of insurance is made, or agreed to be made, or is evidenced; and except as herein-after mentioned, this Act does not apply to policies of sea insurance.

(2.) A Policy of sea insurance made or executed out of, but being in any manner enforceable within, the United Kingdom is to be charged with duty under the Act of the thirtieth year of Her Majesty's reign, chapter twenty-three, and may be stamped at any time within two months after it has been first received in the United Kingdom, on payment of the duty only.

Penalty for not making out policy,

120. (1.) Every person who—

(*a.*) Receives, or takes credit for, any premium or consideration for any contract of insurance, and does not, within one month after receiving, or taking credit for, such premium or consideration, make out and execute a duly stamped policy of such insurance;

or making, &c. any policy not duly stamped. 50*l.*

(*b.*) Makes, executes, or delivers out,—or pays or allows in account, or agrees to pay or allow in account any money upon, or in respect of,—any policy which is not duly stamped;

Shall forfeit the sum of fifty pounds.

On the managing director, &c.

(2.) The managing director, secretary, or other principal officer of a company or society incurring the said penalty shall, as well as the said company or society, forfeit the sum of fifty pounds.

Duty may be denoted by adhesive stamp.

121. (1.) The duties imposed by this Act upon policies of insurance may be denoted by adhesive stamps, or partly by adhesive, and partly by impressed, stamps.

A.D. 1870.

(2.) When the whole, or any part, of the duty upon a policy of insurance is denoted by an adhesive stamp, such adhesive stamp is to be cancelled by the person by whom the policy is first executed.

Penalty on the company and directors, &c. 50*l.*

(3.) In default of such cancellation, the person, company, or society making the insurance, and also the managing director, secretary, or other principal officer of the company or society, and any other director, by whom the policy is executed, shall forfeit the sum of fifty pounds.

As to Receipts.

Interpretation of term.

122. The term "Receipt" means and includes any note, memorandum, or writing whatsoever, whereby any money amounting to two pounds or upwards, or any bill of exchange or promissory note for money amounting to two pounds or upwards, is acknowledged or expressed to have been received, or deposited, or paid, or whereby any debt or demand, or any part of a debt or demand, of the amount of two pounds or upwards, is acknowledged to have been settled, satisfied, or discharged, or which signifies or imports any such acknowledgment, and whether the same is or is not signed with the name of any person.

Duty may be denoted by adhesive stamp.

123. The duty upon a receipt may be denoted by an adhesive stamp, which is to be cancelled by the person by whom the receipt is given, before he delivers it out of his hands.

Terms upon which receipts may be stamped after execution.

124. A receipt given without being stamped, may be stamped with an impressed stamp, upon the terms following; that is to say,—

(1.) Within fourteen days after it has been given, on payment of the duty and a penalty of five pounds:

(2.) After fourteen days, but within one month, after it has been given, on payment of the duty and a penalty of ten pounds:

And shall not in any other case be stamped with an impressed stamp.

Penalty for offences.

125. If any person—

(1.) Gives any receipt liable to duty and not duly stamped:

(2.) In any case where a receipt given would be liable to duty, refuses to give a receipt duly stamped:

(3.) Upon a payment to the amount of two pounds or upwards, gives a receipt for a sum not amounting to two pounds, or separates or divides the amount paid with intent to evade the duty:

He shall forfeit the sum of ten pounds.

A.D. 1870.

As to Settlements.

As to settlement of policy or security.

126. Where any money which may become due or payable upon any policy of insurance, or upon any security not being a marketable security, is settled or agreed to be settled, the instrument whereby such settlement is made or agreed to be made is to be charged with ad valorem duty in respect of such money.

Proviso, As to policies.

Provided as follows:—

(1.) Where, in the case of a policy of insurance, no provision is made for keeping up the policy, the ad valorem duty is to be charged only on the value of the policy at the date of the instrument:

(2.) If in any such case the instrument contains a statement of such value, and is stamped in accordance with such statement, it is, so far as regards such policy, to be deemed duly stamped, unless or until it is shown that such statement is untrue, and that the instrument is, in fact, insufficiently stamped.

Settlements when not to be charged as securities.

127. (1.) An instrument chargeable with ad valorem duty as a settlement in respect of any money, stock, or security is not to be charged with any further duty by reason of containing provision for the payment or transfer of the same money, stock, or security.

(2.) Where any money, stock, or security is settled or agreed to be settled by a person who has only a reversionary interest therein, and the instrument, whereby such settlement is made or agreed to be made, contains a covenant, by the person entitled in possession to the interest or dividends of such money, stock, or security for the payment, during the continuance of such possession, of any annuity or yearly sum, not exceeding interest at the rate of four pounds per centum per annum upon the amount or value of such money, stock, or security, such instrument shall not be charged with any duty in respect of such covenant.

Where several instruments one only to be charged with ad valorem duty.

128. (1.) Where several instruments are executed for effecting the settlement of the same property, and the ad valorem duty chargeable in respect of the settlement of such property exceeds ten shillings, one only of such instruments is to be charged with the ad valorem duty.

(2.) Where a settlement is made in pursuance of any previous agreement or articles, upon which any ad valorem settlement duty exceeding ten shillings has been paid in respect of the same property, such settlement is not to be charged with any ad valorem settlement duty.

(3.) In each of the aforesaid cases the instruments not chargeable with ad valorem duty are to be charged with the duty of ten shillings. A.D. 1870.

As to Share Warrants.

129. If a share warrant is issued without being duly stamped, the company issuing the same, and also every person who, at the time when it is issued, is the managing director or secretary or other principal officer of the company, shall forfeit the sum of fifty pounds. Penalty for issuing sharewarrant not duly stamped, 50*l.*

As to transfers of Shares in Cost Book Mines.

130. (1.) The duty upon a request or authority to the purser or other officer of a mining company conducted on the cost book system, to enter or register the transfer of any share or part of a share of the mine, and the duty upon a notice to such purser or officer of any such transfer, may be denoted by an adhesive stamp, which is to be cancelled by the person by whom the request, authority, or notice is written or executed. Duty may be denoted by adhesive stamp.

(2.) Every person who writes or executes any such request, authority, or notice, not being duly stamped, and every purser or other officer of any such company who in any manner obeys, complies with, or gives effect to, any such request, authority, or notice, not being duly stamped, shall forfeit the sum of twenty pounds. Penalty for signing, &c. 20*l.*

A.D. 1870.

SCHEDULE.

[*The Stamp Duties in this Schedule are proposed to be inserted in Committee.*]

	Duty. £	s.	d.
ADMISSION in England, Scotland, or Ireland of any person—			
As an advocate in any court - - - - -	50	0	0
Exemption.			
Where a person has been duly admitted as an advocate in any court in England, Scotland, or Ireland, his admission as an advocate in any other court in the same country is exempt from duty.			
And see sections 29 and 30.			
ADMISSION in England or Ireland of any person—			
To the degree of barrister-at-law.			
If he has been previously duly admitted to the said degree in Ireland, or in England, as the case may be - -	10	0	0
In any other case - - - - - -	50	0	0
And see sections 29, 30, and 31.			
ADMISSION of any person—			
To be a member of either of the four Inns of Court in England, or a student of the Society of King's Inns in Dublin	25	0	0
Exemptions.			
(1.) Where a person has been duly admitted a member of one of the Inns of Court in England, his admission as a member of any other of the said Inns is exempt from duty.			
(2.) Where a person has been duly admitted a student of the Society of King's Inns in Dublin, his admission as a member of any of the Inns of Court in England is exempt from duty.			
And see sections 29, 30, 31, and 32.			
ADMISSION of any person—			
To be a member of either of the Societies commonly called Inns of Chancery in England - - -	3	0	0
And see sections 29 and 30.			
ADMISSION in England or Ireland of any person—			
As an attorney, solicitor, or proctor in any court - -	25	0	0
Exemption.			
Where a person has been duly admitted as an attorney, solicitor, or proctor in any court in England or Ireland his admission to act in either of those capacities in any other court in the same country is exempt from duty.			
And see sections 29 and 30.			

A.D. 1870.

	£	s.	d.
ADMISSION in Scotland of any person—			
(1.) As a writer to the signet, or as a solicitor, agent, or attorney in the court of session, justiciary, or commission of teinds:			
If he has previously paid the sum of 60*l.* for duty upon his articles of clerkship - - -	25	0	0
If he has been previously duly admitted as a procurator or solicitor in any inferior court -	30	0	0
In any other case - - - - -	85	0	0
(2.) As a procurator or solicitor in any inferior court:			
If he has previously paid the sum of 2*s.* 6*d.* for duty on his articles of clerkship - -	54	17	6
In any other case - - - - -	55	0	0
Exemptions.			
(1.) Where a person has been duly admitted as a writer to the signet, or as a solicitor, agent, or attorney in the court of session, justiciary or commission of teinds, his admission to act in either of those capacities in any other of the said courts, or as a procurator or solicitor in any inferior court, is exempt from duty.			
(2.) Where a person has been duly admitted as a procurator or solicitor in any inferior court, his admission as a procurator or solicitor in any other inferior court is exempt from duty.			
And see sections 29 and 30.			
ADMISSION to act as a notary public.			
See Faculty.			
ADMISSION of any person—			
As a Fellow of the College of Physicians in England, Scotland, or Ireland - - - - - -	25	0	0
And see sections 29 and 30.			
ADMISSION to the degree of doctor of medicine in either of the universities in Scotland - - - - - -	10	0	0
And see sections 29 and 30.			
ADMISSION in England or Ireland of any person—			
As a burgess, or into any corporation or company, in any city, borough, or town corporate.			
In respect of birth, apprenticeship, or marriage, or, in Ireland, in respect of being engaged in any trade, mystery, or handicraft - - - - -	1	0	0
Upon any other ground - - - -	3	0	0
Exemption.			
Admission of any person to the freedom of the city of London by redemption.			
And see sections 29 and 30.			

A.D. 1870.

	£	s.	d.
ADMISSION in Scotland of any person—			
As a burgess, or into any corporation or company, in any burgh - - - - - - - - - -	0	5	0
Exemption.			
Admission of a craftsman or other person into any corporation within any royal burgh, burgh of royalty, or burgh of barony incorporated by the magistrates and council of such burgh, provided such craftsman or other person has been previously duly admitted a freeman or burgess of the burgh.			
And see sections 29 and 30.			
ADMISSION to Ecclesiastical benefices in Scotland. See Appointment, &c. to ecclesiastical benefices.			
ADMISSION, APPOINTMENT, or GRANT—			
To or of any office or employment—			
Where the annual salary, fees, or emoluments appertaining to such office or employment do not exceed 100*l.* -	2	0	0
Exceed 100*l.* and do not exceed 150*l.* - - -	4	0	0
„ 150*l.* „ „ 200*l.* - - -	6	0	0
„ 200*l.* „ „ 250*l.* - - -	8	0	0
„ 250*l.* „ „ 300*l.* - - -	10	0	0
„ 300*l.*			
For every 100*l.*, and also for any fractional part of 100*l.*	5	0	0
Exemptions.			
(1.) Admission proceeding upon a duly stamped appointment or grant.			
(2.) First appointment of any person to the office or employment of out-door officer, boatman, waterman, or watchman in the service of the Customs.			
(3.) Periodical re-admission or re-appointment to any office or employment of any person who has been once duly admitted to such office or employment.			
And see sections 29, 30, 33, 34, and 35.			
AFFIDAVIT, or STATUTORY DECLARATION made under the provisions of 5 & 6 Will. 4. c. 62 - - -	0	2	6
Exemptions.			
(1.) Affidavit made for the immediate purpose of being filed, read, or used in any court, or before any judge, master, or officer of any court.			
(2.) Affidavit or declaration made upon a requisition of the commissioners of any public board of revenue, or any of the officers acting under them.			

A.D. 1870.

	£	s.	d.
(3.) Affidavit or declaration which may be required at the Bank of England or the Bank of Ireland to prove the death of any proprietor of any stock transferable there, or to identify the person of any such proprietor, or to remove any other impediment to the transfer of any such stock.			
(4.) Affidavit or declaration relating to the loss, mutilation, or defacement of any bank note or bank post bill.			
(5.) Declaration required to be made pursuant to any Act relating to marriages in order to a marriage without licence.			
AGREEMENT or CONTRACT, accompanied with a deposit. *See* Mortgage, &c., and section 107.			
AGREEMENT for a lease or tack, or for any letting. *See* Lease or Tack, and section 98.			
AGREEMENT or CONTRACT made or entered into pursuant to the Highway Acts for or relating to the making, maintaining, or repairing of highways - - - - -	0	0	6
AGREEMENT, or any MEMORANDUM of an AGREEMENT, made in England or Ireland under hand only, or made in Scotland without any clause of registration, and not otherwise specifically charged with any duty, whether the same be only evidence of a contract, or obligatory upon the parties from its being a written instrument - - - - -	0	0	6

Exemptions.

(1.) Agreement or memorandum the matter whereof is not of the value of 5*l.*

(2.) Agreement or memorandum for the hire of any labourer, artificer, manufacturer, or menial servant.

(3.) Agreement, letter, or memorandum made for or relating to the sale of any goods, wares, or merchandise.

(4.) Agreement or memorandum made between the master and mariners of any ship or vessel for wages on any voyage coastwise from port to port in the United Kingdom.

And see section 36.

ALLOTMENT. *See* Letter of Allotment.

ANNUITY, conveyance in consideration of.
See Conveyance on Sale, and section 74.
purchase of.
See Conveyance on Sale, and section 77.
creation of, by way of security.
See Mortgage, &c., and section 110.
instruments relating to, upon any other occasion.
See Bond, Covenant, &c.

A.D. 1870.

	£	s.	d.
APPOINTMENT, whether by way of Donation, Presentation, or Nomination, and ADMISSION, COLLATION, or INSTITUTION to or LICENCE TO HOLD—			
Any ecclesiastical benefice, dignity, or promotion, or any perpetual curacy.			
If the net yearly value thereof exceeds—			
50*l.* and does not exceed 100*l.*	1	0	0
100*l.* „ „ 150*l.*	2	0	0
150*l.* „ „ 200*l.*	3	0	0
200*l.* „ „ 250*l.*	4	0	0
250*l.* „ „ 300*l.*	5	0	0
300*l.*	7	0	0
And also (if such yearly value exceeds 300*l.*) for every 100*l.* of such yearly value over and above 200*l.* a further duty of	5	0	0
Exemptions.			
Admission, collation, institution, or licence proceeding upon a duly stamped donation, presentation, or nomination.			
And see section 37.			
APPOINTMENT of a new trustee, and APPOINTMENT in execution of a power of any property, or of any use, share, or interest in any property, by any instrument not being a will	0	10	0
APPOINTMENT of a gamekeeper.			
See Deputation.			
APPOINTMENTS to offices or employments.			
See Admission.			
APPRAISEMENT or VALUATION of any property, or of any interest therein, or of the annual value thereof, or of any dilapidations, or of any repairs wanted, or of the materials and labour used or to be used in any building, or of any artificers work whatsoever.			
Where the amount of the appraisement or valuation does not exceed 5*l.*	0	0	3
Exceeds 5*l.* and does not exceed 10*l.*	0	0	6
„ 10*l.* „ 20*l.*	0	1	0
„ 20*l.* „ 30*l.*	0	1	6
„ 30*l.* „ 40*l.*	0	2	0
„ 40*l.* „ 50*l.*	0	2	6
„ 50*l.* „ 100*l.*	0	5	0
„ 100*l.* „ 200*l.*	0	10	0
„ 200*l.* „ 500*l.*	0	15	0
„ 500*l.*	1	0	0
Exemptions.			
(1.) Appraisement or valuation made for, and for the information of, one party only, and not being in any manner obligatory as between parties either by agreement or operation of law.			
(2.) Appraisement or valuation made in pursuance of the order of any Court of Admiralty or Vice-Admiralty, or			

	£	s.	d.
of any Court of Appeal, from any sentence, adjudication or judgment of any Court of Admiralty or Vice-Admiralty.			
(3.) Appraisement or valuation of any property made for the purpose of ascertaining the legacy or succession duty payable in respect thereof.			
And see section 38.			
APPRENTICESHIP, Instrument of.			
Where there is no premium or consideration - -	0	2	6
In any other case—			
For every 5*l.*, and also for any fractional part of 5*l.*, of the amount or value of the premium or consideration	0	5	0
Exemptions.			
(1.) Instrument relating to any poor child apprenticed by, or at the sole charge of, any parish or township, or by or at the sole charge of any public charity, or pursuant to any Act for the regulation of parish apprentices.			
(2.) Instrument of apprenticeship in Ireland, where the value of the premium or consideration does not exceed 10*l.*			
And see sections 39 and 40.			
ARTICLES OF CLERKSHIP whereby any person first becomes bound to serve as a clerk in order to his admission.			
(1.) As an attorney or solicitor in any of Her Majesty's courts at Westminster or in Ireland, or as a proctor in the High Court of Admiralty, or any Ecclesiastical Court in England or Ireland - - - -	80	0	0
(2.) As an attorney or solicitor in any of the courts of the counties palatine of Lancaster and Durham, or as a writer to the signet, or as a solicitor, agent, or attorney in the court of session, justiciary, or commission of teinds in Scotland - - -	60	0	0
(3.) As a procurator or solicitor in any inferior court in Scotland - - - - -	0	2	6
And see sections 41, 42, 43, and 44.			
ARTICLES OF CLERKSHIP, whereby any person, having been before bound by duly stamped articles to serve as a clerk in order to his admission in any of the courts aforesaid, and not having completed his service so as to be entitled to such admission, becomes bound afresh for the same purpose -	0	10	0
ASSIGNMENT or ASSIGNATION.			
By way of security, or of any security. *See* Mortgage, &c.			
Upon a sale, or otherwise. *See* Conveyance.			
ASSURANCE or INSURANCE. *See* Policy.			
ATTESTED COPY. *See* Copy.			
ATTORNEY, LETTER or POWER of. *See* Letter of Attorney. WARRANT of. *See* Warrant of Attorney.			

A.D. 1870.

	£	s.	d.
AWARD in England or Ireland, and AWARD or DECREET ARBITRAL in Scotland.			
Where the amount or value of the matter in dispute does not exceed 5*l.* - - - - -	0	0	3
Exceeds 5*l.* and does not exceed 10*l.* - -	0	0	6
„ 10*l.* „ 20*l.* - - -	0	1	0
„ 20*l.* „ 30*l.* - -	0	1	6
„ 30*l.* „ 40*l.* - - -	0	2	0
„ 40*l.* „ 50*l.* - -	0	2	6
„ 50*l.* „ 100*l.* - - -	0	5	0
„ 100*l.* „ 200*l.* - -	0	10	0
„ 200*l.* „ 500*l.* - - -	0	15	0
„ 500*l.* „ 750*l.* - -	1	0	0
„ 750*l.* „ 1,000*l.* - - -	1	5	0
And where it exceeds 1,000*l.*, and in any other case not above provided for - - - -	1	15	0
BACK BOND. *See* MORTGAGE, &c., and section 107.			
BANK NOTE—			
For money not exceeding 1*l.* - - - -	0	0	5
Exceeding 1*l.* and not exceeding 2*l.* - - -	0	0	10
„ 2*l.* „ 5*l.* - - -	0	1	3
„ 5*l.* „ 10*l.* - -	0	1	9
„ 10*l.* „ 20*l.* - - -	0	2	0
„ 20*l.* „ 30*l.* - - -	0	3	0
„ 30*l.* „ 50*l.* - - -	0	5	0
„ 50*l.* „ 100*l.* - - -	0	8	6
And *see* sections 45, 46, and 47.			
BILL OF EXCHANGE—			
Drawn in the United Kingdom, and payable on demand -	0	0	1
BILL OF EXCHANGE of any other kind whatsoever (*except a Bank Note*) and PROMISSORY NOTE of any kind whatsoever (*except a Bank Note*) drawn, or expressed to be payable, or actually paid, or endorsed, or in any manner negotiated in the United Kingdom:			
Where the amount or value of the money for which the bill or note is drawn or made does not exceed 5*l.* - - - - -	0	0	1
Exceeds 5*l.*, and does not exceed 10*l.* - -	0	0	2
„ 10*l.* „ 25*l.* - -	0	0	3
„ 25*l.* „ 50*l.* - -	0	0	6
„ 50*l.* „ 75*l.* - -	0	0	9
„ 75*l.* „ 100*l.* - -	0	1	0
„ 100*l.* „			
For every 100*l.*, and also for any fractional part of 100*l.*, of such amount or value - - -	0	1	0

Exemptions.

(1.) Bill or note issued by the Governor and Company of the Bank of England or Bank of Ireland.

£ s. d. A.D. 1870.

(2.) Draft or order drawn by any banker in the United Kingdom upon any other banker in the United Kingdom, not payable to bearer or to order, and used solely for the purpose of settling or clearing any account between such bankers.

(3.) Letter written by a banker in the United Kingdom to any other banker in the United Kingdom, directing the payment of any sum of money, the same not being payable to bearer or to order, and such letter not being sent or delivered to the person to whom payment is to be made, or to any person on his behalf.

(4.) Letter of credit granted in the United Kingdom authorizing drafts to be drawn out of the United Kinghom payable in the United Kingdom.

(5.) Draft or order drawn by the Accountant General of the Court of Chancery in England or Ireland.

(6.) Warrant or order for the payment of any annuity granted by the Commissioners for the Reduction of the National Debt, or for the payment of any dividend or interest on any share in the Government or Parliamentary Stocks or Funds.

(7.) Bill drawn by the Lords Commissioners of the Admiralty, or by any person under their authority, under the authority of any Act of Parliament upon and payable by the Accountant General of the Navy.

(8.) Bill drawn (according to a form prescribed by Her Majesty's orders by any person duly authorized to draw the same) upon and payable out of any public account for any pay or allowance of the army or other expenditure connected therewith.

(9.) Coupon or warrant for interest attached to and issued with any security.

And *see* sections 48, 49, 50, 51, 52, 53, 54, 55, 56, and 57.

BILL OF LADING of or for any goods, merchandise, or effects to be exported or carried coastwise - - - - - 0 0 6

And *see* section 58.

BILL OF SALE—

Absolute. *See* Conveyance on Sale.

By way of security. *See* Mortgage, &c.

And *see* section 59.

BOND for securing the payment or repayment of money or the transfer or retransfer of Stock.

See Mortgage, &c.

BOND in relation to any annuity upon the original creation and sale thereof.

See Conveyance on Sale, and section 77.

A.D. 1870. BOND, COVENANT, or INSTRUMENT of any kind whatsoever.

(1.) Being the only or principal or primary security for any annuity (*except upon the original creation thereof by way of sale or security*), or of any sum or sums of money at stated periods, not being interest for any principal sum secured by a duly stamped instrument, nor rent reserved by a lease or tack.

For a definite and certain period, so that the total amount to be ultimately payable can be ascertained. — The same ad valorem duty as a bond or covenant for such total amount.

For the term of life or any other indefinite period.

For every 5*l.*, and also for any fractional part of 5*l.*, of the annuity or sum periodically payable - £ 0 2 6

(2.) Being a collateral or auxiliary or additional or substituted security for any of the above-mentioned purposes where the principal or primary instrument is duly stamped.

Where the total amount to be ultimately payable can be ascertained - - - - — The same ad valorem duty as a bond or covenant of the same kind for such total amount.

In any other case - - - - -

For every 5*l.*, and also for any fractional part of 5*l.*, of the annuity or sum periodically payable - - 0 0 6

BOND given pursuant to the directions of any Act of Parliament, or by the directions of the Commissioners of Customs or Inland Revenue, or any of their officers, for or in respect of any of the duties of customs or excise, or for preventing frauds or evasions thereof, or for any other matter or thing relating thereto.

Where the penalty of the bond does not exceed 150*l.* - — The same ad valorem duty as a bond for the amount of the penalty.

And in any other case - - - - 0 5 0

Exemption.

Bond given as aforesaid upon, or with relation to, the receiving or obtaining, or for entitling any person to receive or obtain, any drawback of any duty or duties, or part of any duty or duties, of customs or excise, for or in respect of any goods, wares, or merchandise exported or shipped to be exported from the United Kingdom to any parts beyond the seas, or upon or with relation to the obtaining of any debenture or certificate for entitling any person to receive any such drawback as aforesaid.

And *see* section 60.

BOND on obtaining letters of administration in England or Ireland, or a confirmation of testament in Scotland - - 0 5 0

Exemptions.

(1.) Bond given by the widow, child, father, mother, brother or sister, of any common seaman, marine or

A.D. 1870.

soldier, slain or dying in the service of Her Majesty, her heirs, or successors.

(2.) Bond given by any person where the estate to be administered does not exceed 100*l.* in value.

BOND of any kind whatsoever not specifically charged with any duty:

Where the amount limited to be recoverable does not exceed 300*l.* - - - - - - - The same ad valorem duty as a bond for the amount limited.

	£	s.	d.
In any other case - - - - - - -	0	10	0

BOND, accompanied with a deposit of title deeds, for making a mortgage, wadset, or other security, on any estate or property therein comprised.

See Mortgage, &c., and section 107.

BOND, DECLARATION, or other DEED or WRITING, for making redeemable any disposition, assignation, or tack, apparently absolute, but intended only as a security.

See Mortgage, &c., and section 107.

CERTIFICATE to be taken out yearly—

(1.) By every person admitted or inrolled in England or Ireland as an attorney, solicitor, proctor, or notary public.

(2.) By every person admitted or inrolled in Scotland as a writer to the signet, solicitor, agent, attorney, procurator, or notary public.

(3.) By every other legally qualified person who carries on business in England or Ireland as a conveyancer, special pleader, or draftsman in equity, and is obliged by law to take out such a certificate.

If such person practises or carries on his business	If he has been admitted or inrolled, or has carried on business, for three years or upwards.			If he has not been so long admitted or inrolled, or has not so long carried on business.		
In England, within ten miles from the General Post Office in the City of London - -						
In Scotland, within the City or Shire of Edinburgh - - - - -	9	0	0	4	10	0
In Ireland, in the City of Dublin, or within three miles therefrom - - -						
In England, Scotland, or Ireland, beyond the above-mentioned limits - - - -	6	0	0	3	0	0

And *see* sections 61, 62, 63, 64, 65, and 66.

A.D. 1870.

	£	s.	d.
CERTIFICATE of any goods, wares or merchandise, having been duly entered inwards, which shall be entered outwards for exportation at the port of importation, or be removed from thence to any other port for the more convenient exportation thereof, where such certificate is issued for enabling any person to obtain a debenture or certificate entitling him to receive any drawback of any duty or duties of customs or any part thereof - - - - - -	0	4	0
CERTIFICATE of the registration of a design - - And *see* section 67.	5	0	0
CHARTER of resignation, or of confirmation, or of novodamus, or upon apprising, or upon a decreet of adjudication, or sale of any lands, or other heritable subjects in Scotland - -	0	5	0
CHARTER PARTY, or any agreement or contract for the charter of any ship or vessel, or any memorandum, letter or other writing, between the captain, master, or owner of any ship or vessel, and any other person, for or relating to the freight or conveyance of any money, goods or effects on board of such ship or vessel - - - - - - And *see* sections 68, 69, and 70.	0	0	6
CLARE CONSTAT. *See* PRECEPT.			
COLLATION. *See* APPOINTMENT, &c. to ecclesiastical benefices.			
COMMISSION granted by Her Majesty, Her heirs or successors, or by any person or persons duly authorized by her or them, to any officer in the army, or in the corps of Royal Marines - - - - - - - -	1	10	0
COMMISSION granted by the Lords Commissioners of the Admiralty to any officer in the navy - - -	0	5	0
COMMISSION or DEPUTATION granted by the Commissioners of Inland Revenue - - - - -	1	10	0
COMMISSION OF LUNACY - - - -	0	5	0
COMMISSION to act as a notary public in Scotland. *See* FACULTY.			
COMMISSION in the nature of a power of attorney in Scotland. *See* LETTER OR POWER OF ATTORNEY.			
CONDITIONAL SURRENDER of any Copyhold or customary estate by way of mortgage. *See* MORTGAGE, &c., and sections 107 and 112.			
CONGÉ D'ÉLIRE. *See* GRANT.			
CONSTAT of Letters Patent. *See* EXEMPLIFICATION.			
CONTRACT. *See* AGREEMENT.			

	£	s.	d.
CONTRACT NOTE—Any note, memorandum, or writing, commonly called a "Contract Note," or by whatever name the same may be designated, for or relating to the sale or purchase of any stock or marketable security of the value of 5*l.* or upwards - - - - - -	0	0	1
And *see* section 71.			
CONVEYANCE or TRANSFER, whether on sale or otherwise—			
(1.) Of any stock of the Governor and Company of the Bank of England - - - - -	0	7	9
(2.) Of any stock of the East India Company - -	1	10	0
(3.) Of any debenture stock or funded debt of any company or corporation.			
For every 100*l.*, and also for any fractional part of 100*l.*, of the nominal amount transferred -	0	2	6
CONVEYANCE or TRANSFER on sale.			
Of any property (*except such stock or debenture stock or funded debt as aforesaid*).			
Where the amount or value of the consideration for the sale does not exceed 5*l.* - - -	0	0	6
Exceeds 5*l.*, and does not exceed 10*l.* - -	0	1	0
„ 10*l.* „ 15*l.* - -	0	1	6
„ 15*l.* „ 20*l.* - -	0	2	0
„ 20*l.* „ 25*l.* - -	0	2	6
„ 25*l.* „ 50*l.* - -	0	5	0
„ 50*l.* „ 75*l.* - -	0	7	6
„ 75*l.* „ 100*l.* - -	0	10	0
„ 100*l.* „ 125*l.* - -	0	12	6
„ 125*l.* „ 150*l.* - -	0	15	0
„ 150*l.* „ 175*l.* - -	0	17	6
„ 175*l.* „ 200*l.* - -	1	0	0
„ 200*l.* „ 225*l.* - -	1	2	6
„ 225*l.* „ 250*l.* - -	1	5	0
„ 250*l.* „ 275*l.* - -	1	7	6
„ 275*l.* „ 300*l.* - -	1	10	0
„ 300*l.*			
For every 50*l.*, and also for any fractional part of 50*l.* of such amount or value - - - -	0	5	0
And *see* sections 72, 73, 74, 75, 76, 77, 78, and 79.			
CONVEYANCE or TRANSFER by way of security of any property (*except such stock, or debenture stock, or funded debt as aforesaid*), or of any security.			
See Mortgage, &c.			
CONVEYANCE or TRANSFER of any kind not hereinbefore described - - - - -	0	10	0
And *see* section 80.			

A.D. 1870.

	£	s.	d.
COPY or EXTRACT (*attested or in any manner authenticated*) of or from—			
(1.) An instrument chargeable with any duty.			
(2.) An original will, testament, or codicil.			
(3.) The probate or probate copy of a will or codicil.			
(4.) Any letters of administration or any confirmation of a testament.			
(5.) Any public register (*except any register of births, baptism, marriages, deaths, or burials*).			
(6.) The books, rolls, or records of any court.			
In the case of an instrument chargeable with any duty not amounting to one shilling - -	The same duty as such instrument.		
In any other case - - - - - -	0	1	0
Exemptions.			
(1.) Copy or extract of or from any law proceedings.			
(2.) Copy or extract in Scotland of or from the commission of any person as a delegate or representative to the convention of royal burghs or the general assembly or any presbytery or church court.			
And *see* section 81.			
COPY or EXTRACT (*certified*) of or from any register of births, baptisms, marriages, deaths, or burials - - -	0	0	1
Exemptions.			
(1.) Copy or extract furnished by any clergyman, registrar, or other official person pursuant to and for the purposes of any Act of Parliament, or furnished to any general or superintending registrar under any general regulation.			
(2.) Copy or extract for which the person giving the same is not entitled to any fee or reward.			
And *see* section 82.			
COPYHOLD and CUSTOMARY ESTATES—Instruments relating thereto.			
Upon a sale thereof. *See* CONVEYANCE ON SALE.			
Upon a mortgage thereof. *See* MORTGAGE, &c.			
Upon a demise thereof. *See* LEASE OR TACK.			
Upon any other occasion.			
Surrender or grant made out of court, or the memorandum thereof,			
and Copy of court roll of any surrender or grant made in Court - - - - -	0	10	0
And *see* sections 83, 84, 85, 86, 87, and 88.			
COST BOOK MINES. *See* TRANSFER.			
COUNTERPART. *See* DUPLICATE.			
COVENANT for securing the payment or repayment of money, or the transfer or retransfer of stock.			
See MORTGAGE, &c.			

A.D. 1870.

	£	s.	d.
COVENANT in relation to any annuity upon the original creation and sale thereof.			
See Conveyance on Sale, and section 77.			
COVENANT in relation to any annuity (*except upon the original creation and sale thereof*) or to other periodical payments.			
See Bond, Covenant, &c.			
COVENANT. Any separate deed of covenant (*not being an instrument chargeable with ad valorem duty as a conveyance on sale or mortgage*) made on the sale or mortgage of any property, and relating solely to the conveyance or enjoyment of, or the title to, the property sold or mortgaged, or to the production of the muniments of title relating thereto, or to all or any of the matters aforesaid.			
Where the ad valorem duty in respect of the consideration or mortgage money does not exceed 10*s.* - -	A duty equal to the amount of such ad valorem duty.		
In any other case - - - -	0	10	0
CURACY (*Perpetual*) licence to hold. Nomination to. *See* Appointment, &c. to ecclesiastical benefices.			
CUSTOMARY ESTATES. *See* Copyhold.			
DEBENTURE for securing the payment or repayment of money or the transfer or retransfer of stock.			
See Mortgage, &c.			
DEBENTURE or CERTIFICATE for entitling any person to receive any drawback of any duty or duties, or part of any duty or duties, of customs or excise, or any bounty payable out of the revenue of customs or excise, for or in respect of any goods, wares, or merchandise, exported or shipped to be exported from any part of the United Kingdom to any part beyond the sea.			
Where the drawback or bounty to be received does not exceed 10*l.* - - - - -	0	1	0
Exceeds 10*l.* and does not exceed 50*l.* - - -	0	2	6
Exceeds 50*l.* - - - - -	0	5	0
DECLARATION of any use or trust of or concerning any property by any writing, not being a deed or will, or an instrument chargeable with ad valorem duty as a settlement -	0	10	0
DECLARATION (*Statutory*). *See* Affidavit.			
DECREET ARBITRAL. *See* Award.			
DEED whereby any real burden is declared or created on lands or heritable subjects in Scotland.			
See Mortgage, &c., and section 107.			

A.D. 1870.

	£	s.	d.
DEED containing an obligation to infeft any person in heritable subjects in Scotland, under a clause of reversion, as a security for money. *See* Mortgage, &c., and section 107.			
DEED containing an obligation to infeft or seize in an annuity to be uplifted out of heritable subjects in Scotland. *See* Bond, Covenant, &c.			
DEED of any kind whatsoever, not described in this schedule -	0	10	0
DEFEAZANCE. Deed or other instrument of defeazance of any conveyance, disposition, assignation, or tack, apparently absolute, but intended only as a security for money or stock. *See* Mortgage, &c. and section 107.			
DELIVERY ORDER - - - - - And *see* sections 89, 91, 92, and 93.	0	0	1
DEPOSIT of title deeds. *See* Mortgage, &c., and section 107.			
DEPUTATION by the Commissioners of Inland Revenue. *See* Commission.			
DEPUTATION or APPOINTMENT of a gamekeeper -	0	10	0
DISPENSATION. *See* Faculty.			
DISPOSITION of heritable property in Scotland to singular successors or purchasers. *See* Conveyance on Sale.			
DISPOSITION of heritable property in Scotland to a purchaser, containing a clause declaring all or any part of the purchase money a real burden upon, or affecting, the heritable property thereby disponed or any part thereof. *See* Conveyance on Sale, Mortgage, &c., and section 107.			
DISPOSITION in Scotland containing constitution of feu or ground annual right. *See* Conveyance on Sale, and section 74.			
DISPOSITION in security in Scotland. *See* Mortgage, &c.			
DISPOSITION of any wadset, heritable bond, &c. *See* Mortgage, &c.			
DISPOSITION in Scotland of any property or of any right or interest therein not described in this schedule - -	0	10	0
DOCK WARRANT. *See* Warrant for Goods.			
DOCKET made on passing any instrument under the Great Seal of the United Kingdom - - - -	0	2	0
DONATION of any ecclesiastical benefice, dignity, or promotion. *See* Appointment, &c. to ecclesiastical benefices.			
DRAFT for money. *See* Bill of Exchange, and section 48.			
DUPLICATE or COUNTERPART of any instrument chargeable with any duty. Where such duty does not amount to 5*s.* - -	The same duty as the original instrument.		
In any other case - - - - - -	0	5	0

And *see* section 95.

A.D. 1870.

	£	s.	d.
ECCLESIASTICAL BENEFICE. *See* Appointment, &c. to ecclesiastical benefices.			
EIK to a reversion. *See* Mortgage, &c., and section 107.			
EXCHANGE or EXCAMBION. *See* section 96.			
EXEMPLIFICATION or CONSTAT, under the Great Seal of the United Kingdom of Great Britain and Ireland of any letters patent or grant made or to be made by Her Majesty, her heirs or successors, or by any of her royal predecessors of any honour, dignity, promotion, franchise, liberty or privilege, or of any lands, office, or other thing whatsoever -	5	0	0
EXEMPLIFICATION under the seal of any court in England or Ireland, of any record or proceeding therein - -	3	0	0
EXTRACT. *See* Copy or Extract.			
FACTORY, in the nature of a letter or power of attorney in Scotland. *See* Letter or Power of Attorney.			
FACULTY, LICENCE, COMMISSION, or DISPENSATION for admitting or authorizing any person to act as a notary public:			
In England - - - - - - - -	30	0	0
In Scotland or Ireland - - - - -	20	0	0
FACULTY or DISPENSATION of any other kind:			
In England - - - - - - - -	30	0	0
In Ireland - - - - - - - -	25	0	0
FEU CONTRACT in Scotland. *See* Conveyance on Sale, and section 74.			
FOREIGN SECURITY. *See* Mortgage, &c., and sections 115, 116, and 117.			
FURTHER CHARGE or FURTHER SECURITY. *See* Mortgage, &c., and section 111.			
GRANT or LETTERS PATENT under the Great Seal of the United Kingdom of Great Britain and Ireland, or of the Great Seal of Ireland, or the Seal of the Duchy or County Palatine of Lancaster, or under the Seal kept and used in Scotland in place of the Great Seal formerly used there:			
(1.) Of the honour or dignity of a duke - - -	350	0	0
„ „ of a marquis - - -	300	0	0
„ „ of an earl - - -	250	0	0
„ „ of a viscount - -	200	0	0
„ „ of a baron - - -	150	0	0
„ „ of a baronet - -	100	0	0

[A.D. 1870.

	£	s.	d.
(2.) Of a congé d'élire to any dean and chapter for the election of an archbishop or bishop - - -			
(3.) Of the Royal Assent to, or signification of, the election made by any dean and chapter, or of the nomination and presentation by Her Majesty, her heirs, or successors, in default of such election of any person to be an archbishop or bishop - - -	30	0	0
(4.) Of or for the restitution of the temporalities to any archbishop or bishop - - - - -			
(5.) Of any other honour, dignity, or promotion whatsoever			
(6.) Of any franchise, liberty, or privilege to any person or body politic or corporate - - - -			

Exemptions.

(1.) Commissions of rebellion in process.

(2.) Letters Patent or briefs for collecting charitable benevolences.

(3.) Letters Patent for confirming any dispensation hereinbefore charged with duty.

(4.) Letters Patent appointing sheriffs in England or Ireland, and the writs of assistance accompanying such Letters Patent.

And *see* section 97.

GRANT or WARRANT OF PRECEDENCE to take rank among nobility, under the sign manual of Her Majesty, her heirs, or successors - - - - - - - 100 0 0

GRANT or LICENCE under the sign manual to take and use a surname and arms, or a surname only.

In compliance with the injunctions of any will or settlement - - - - - - - 50 0 0

Upon any voluntary application - - - - 10 0 0

GRANT of arms or armorial ensigns only, under the sign manual, or by any of the Kings of Arms of England, Scotland, or Ireland - - - - - - - 10 0 0

GRANT of copyhold or customary estates. *See* Conveyance—Copyhold.

GRANT of the custody of the person or estate of any lunatic - 2 0 0

HERITABLE BOND. *See* Mortgage, &c., and section 107.

INSTITUTION. *See* Appointment, &c. to ecclesiastical benefices.

INVENTORY. *See* Schedule.

A.D. 1870.

LEASE or TACK—

	£	s.	d.
(1.) For any definite term less than a year:			
(*a*) Of any dwelling-house or tenement, or part of a dwelling-house or tenement, at a rent not exceeding the rate of 10*l.* per annum - - - - -	0	0	1
(*b*) Of any furnished dwelling-house or apartments where the rent for such term exceeds 25*l.* - - -	0	2	6
(*c*) Of any lands, tenements, or heritable subjects except or otherwise than as aforesaid - - -	The same duty as a lease for a year at the rent reserved for the definite term.		
(2.) For any other definite term or for any indefinite term:			
Of any lands, tenements, or heritable subjects—			
Where the consideration, or any part of the consideration, moving either to the lessor or to any other person, consists of any money, stock, or security:			
In respect of such consideration - - -	The same duty as a conveyance on a sale for the same consideration.		
Where the consideration or any part of the consideration is any rent:			
In respect of such consideration:			
If the rent, whether reserved as a yearly rent or otherwise, is at a rate or average rate:			

	If the term is definite, and does not exceed 35 years, or is indefinite.			If the term being definite exceeds 35 years, but does not exceed 100 years.			If the term being definite exceeds 100 years.		
	£	s.	d.	£	s.	d.	£	s.	d.
Not exceeding 5*l.* per annum	0	0	6	0	3	0	0	6	0
Exceeding—									
5*l.* and not exceeding 10*l.*	0	1	0	0	6	0	0	12	0
10*l.* „ „ 15*l.*	0	1	6	0	9	0	0	18	0
15*l.* „ „ 20*l.*	0	2	0	0	12	0	1	4	0
20*l.* „ „ 25*l.*	0	2	6	0	15	0	1	10	0
25*l.* „ „ 50*l.*	0	5	0	1	10	0	3	0	0
50*l.* „ „ 75*l.*	0	7	6	2	5	0	4	10	0
75*l.* „ „ 100*l.*	0	10	0	3	0	0	6	0	0
100*l.*									
For every full sum of 50*l.*, and also for any fractional part of 50*l.*, thereof -	0	5	0	1	10	0	3	0	0

(3.) Of any other kind whatsoever not herein-before described 0 10 0

And *see* sections 98, 99, 100, 101, and 102.

A.D. 1870.

	£	s.	d.
LETTER OF ALLOTMENT or LETTER OF RENUNCIATION, or any other document having the effect of a letter of allotment.			
(1.) Of any share of any company or proposed company.			5
(2.) In respect of any loan raised, or proposed to be raised, by any company or proposed company, or by any municipal body or corporation.			
(3.) Issued or delivered in the United Kingdom, of any share of any foreign or colonial company or proposed company, or in respect of any loan raised or proposed to be raised by or on behalf of any foreign or colonial state, government, municipal body, corporation, or company.	0		1
And SCRIP CERTIFICATE, SCRIP, or other document.			
(1.) Entitling any person to become the proprietor of any share of any company or proposed company.			
(2.) Issued or delivered in the United Kingdom, and entitling any person to become the proprietor of any share of any foreign or colonial company or proposed company.			
(3.) Denoting, or intended to denote, the right of any person as a subscriber in respect of any loan raised or proposed to be raised by any company or proposed company, or by any municipal body or corporation.	0	0	1
(4.) Issued or delivered in the United Kingdom, and denoting, or intended to denote, the right of any person as a subscriber in respect of any loan raised or proposed to be raised by or on behalf of any foreign or colonial state, government, municipal body, corporation, or company.			
And *see* section 103.			
LETTER OR POWER OF ATTORNEY, or COMMISSION, FACTORY, MANDATE, or other instrument in the nature thereof			
(1.) For the sole purpose of appointing or authorizing any one person to vote as a proxy at any one meeting at which votes may be given by proxy - -	0	0	1
(2.) By any petty officer, seaman, marine or soldier serving as a marine, or by the executors or administrators			

A.D. 1870.

	£	s.	d.
of any such person for receiving prize money or wages - - - - -	0	1	0
(3.) For the receipt of the dividends or interest of any stock :			
Where made for the receipt of one payment only	0	1	0
In any other case - - - -	0	5	0
(4.) For the receipt of any sum of money, or any bill of exchange or promissory note for any sum of money, not exceeding 20*l.*, or any periodical payments not exceeding the annual sum of 10*l.* (*not being herein-before charged*) - - - - -	0	5	0
(5.) For the sale, transfer, or acceptance of any of the government or parliamentary stocks or funds :			
Where the value of such stocks or funds does not exceed 20*l.* - - - - -	0	5	0
In any other case - - - -	0	10	0
(6.) Of any kind whatsoever not herein-before described -	0	10	0

Exemptions.

(1.) Letter or power of attorney for the receipt of dividends of any definite and certain share of the government or parliamentary stocks or funds producing a yearly dividend of less than 3*l.*

(2.) Letter or power of attorney or proxy filed in the Court of Probate in England or Ireland, or in any Ecclesiastical Court.

(3.) Letter or power of attorney for voting on any election of directors of the East India Company.

And *see* sections 104, 105, and 106.

LETTERS OF MARQUE AND REPRISAL -	5	0	0

LETTERS PATENT. *See* Grant.

LETTER OF REVERSION in Scotland. *See* Mortgage, &c., and section 107.

LICENCE for Marriage.

Special—			
In England or Ireland - - -	5	0	0
Not special—			
In England - - - -	0	10	0

A.D. 1870.

	£	s.	d.
LICENCE under the seal of any archbishop, bishop, chancellor, or other ordinary, or by any ecclesiastical court in England or Ireland, or by any presbytery or other ecclesiastical power in Scotland.			5
(1.) To hold the office of lecturer, reader, chaplain, church clerk, chapel clerk, parish clerk, or sexton - -			
(2.) For licensing a building for the performance of divine service within an ecclesiastical district formed under the provisions of The New Parishes Act - - - - - -			10
(3.) For licensing any chapel for the solemnization of marriages therein, pursuant to the provisions of the Act 6 & 7 Will. 4. c. 85 - - - -	0	10	0
(4.) For licensing or authorizing any matter relating to a consecrated building or ground, or anything to be constructed, set up, taken down, or altered therein, or to be removed therefrom - - - -			15
(5.) For any other purpose (*except a licence to hold a perpetual curacy*) - - - - - -	2	0	0 20

Exemptions.

(1.) Licence granted to any spiritual person to perform divine service in any building approved by the archbishop or bishop in lieu of any church or chapel, whilst the same is under repair, or is rebuilding, or in any building so approved for the convenience of the inhabitants of a parish resident at a distance from the church or consecrated chapel. 25

(2.) Licence to a stipendiary curate, wherein the annual amount of the stipend is specified. 30

(3.) Licence for the purpose of authorizing or enabling any person to preach or exercise any other spiritual function, not being a licence to hold the office of lecturer, reader, or chaplain, and there being no salary or emolument for or attached to the exercise of the function for which such licence is granted. 35

LICENCE to act as a notary public. *See* Faculty.

LICENCE to use surname or arms. *See* Grant.

MARRIAGE CONTRACT. *See* Settlement.

MARRIAGE LICENCE. *See* Licence. 40

	£	s.	d.
A.D. 1870.			

MEMORIAL to be registered pursuant to any Act of Parliament, made or to be made, for the public registering of deeds and conveyances in England or Ireland:

Where the instrument registered is chargeable with any duty not amounting to 2*s.* 6*d.* - - - -	The same duty as the registered instrument.		
In any other case - - - - -	0	2	6

MORTGAGE, BOND, DEBENTURE, COVENANT, WARRANT OF ATTORNEY to confess and enter up judgment, and FOREIGN SECURITY of any kind.

(1.) Being the only or principal or primary security for—

The payment or repayment of money not exceeding 25*l.* - - - -	0	0	8
Exceeding 25*l.*, and not exceeding 50*l.* -	0	1	3
„ 50*l.* „ 100*l.* - -	0	2	6
„ 100*l.* „ 150*l.* - -	0	3	9
„ 150*l.* „ 200*l.* - -	0	5	0
„ 200*l.* „ 250*l.* - -	0	6	3
„ 250*l.* „ 300*l.* - -	0	7	6
„ 300*l.*			
For every 100*l.*, and also for any fractional part of 100*l.*, of such amount - - - -	0	2	6

(2.) Being a collateral, or auxiliary, or additional, or substituted security, or by way of further assurance for the above-mentioned purpose where the principal or primary security is duly stamped:

For every 100*l.*, and also for any fractional part of 100*l.*, of the amount secured - -	0	0	6

(3.) Transfer, Assignment, Disposition or Assignation of any mortgage, bond, debenture, covenant or foreign security, or of any money or stock secured by any such instrument, or by any warrant of attorney to enter up judgment, or by any judgment:

For every 100*l.*, and also for any fractional part of 100*l.*, of the amount transferred, assigned, or disponed - - - - -	0	0	6
And also where any further money is added to the money already secured - - -	The same duty as a principal security for such further money.		

A.D. 1870.

	£	s.	d.
(4.) RECONVEYANCE, RELEASE, DISCHARGE, SURRENDER, RESURRENDER, WARRANT TO VACATE, or RENUNCIATION of, any such security as aforesaid, or of the benefit thereof, or of the money thereby secured:			
For every 100*l.*, and also for any fractional part of 100*l.*, of the total amount or value of the money at any time secured - - -	0	0	6
And *see* sections 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, and 117.			
MUTUAL DISPOSITION or Conveyance in Scotland. *See* section 96.			
NOTARIAL ACT of any kind whatsoever (*except a protest of a bill of exchange or promissory note, or any notarial instrument to be expeded and recorded in any register of sasines*) - - - - - -	0	1	0
And *see* PROTEST, SEISIN, and section 118.			
ORDER for the payment of money. *See* BILL OF EXCHANGE and section 48.			
PARTITION or DIVISION. *See* section 96.			
PASSPORT - - - - - - - -	0	0	6
PERPETUAL CURACY. *See* APPOINTMENT, &c. to Ecclesiastical Benefices.			
POLICY OF INSURANCE—			
(1.) Upon any life or lives, or upon any event or contingency relating to or depending upon any life or lives (*except for the payment of money upon the death of any person only from accident or violence, or otherwise than from a natural cause*):			
Where the sum insured does not exceed 10*l.* - -	0	0	1
Exceeds 10*l.*, but does not exceed 25*l.* - -	0	0	
Exceeds 25*l.*, but does not exceed 500*l.*:			
For every full sum of 50*l.*, and also for any fractional part of 50*l.*, of the amount insured -	0	0	6
Exceeds 500*l.*, but does not exceed 1,000*l.*:			
For every full sum of 100*l.*, and also for any fractional part of 100*l.* of the amount insured -	0	1	0
Exceeds 1,000*l.*:			
For every full sum of 1,000*l.*, and also for any fractional part of 1,000*l.*, of the amount insured	0	10	0
(2.) For any payment agreed to be made upon the death of any person, only from accident or violence, or otherwise than from a natural cause, or as compensation for personal injury, or by way of indemnity against loss or damage of or to any property - -	0	0	1
And *see* sections 119, 120 and 121.			

	£	s.	d.
POWER OF ATTORNEY. *See* Letter of Attorney.			
PRECEPT OF CLARE CONSTAT to give seisin of lands or other heritable subjects in Scotland - - - - -	0	5	0
PRESENTATION to any ecclesiastical benefice, dignity, or promotion. *See* Appointment, &c. to Ecclesiastical Benefices.			
PROCURATION, deed, or other instrument of - - - -	0	10	0
PROMISSORY NOTE. *See* Bank Note, Bill of Exchange, and section 49.			
PROTEST of any bill of exchange or promissory note:			
Where the duty on the bill or note does not exceed 1*s.* - -	The same duty as the bill or note.		
In any other case - - - - - -	0	1	0
And *see* section 118.			
PROXY. *See* Letter or Power of Attorney.			
RECEIPT given for, or upon the payment of, money amounting to 2*l.* or upwards - - - - - - -	0	0	1

A.D. 1870.

Exemptions.

(1.) Receipt given for money deposited in any bank, or with any banker, to be accounted for and expressed to be received of the person to whom the same is to be accounted for,

(But if it is expressed that the money is to be accounted for with interest, *see* Bill of Exchange, and section 49.)

(2.) Acknowledgment by any banker of the receipt of any bill of exchange or promissory note for the purpose of being presented for acceptance or payment.

(3.) Receipt given for or upon the payment of any parliamentary taxes or duties, or of money to or for the use of Her Majesty.

(4.) Receipt given by the Accountant General of the Navy for any money received by him for the service of the navy.

(5.) Receipt given by any agent for money imprested to him on account of the pay of the army.

(6.) Receipt given by any officer, seaman, marine or soldier, or his representatives, for or on account of any wages, pay or pension, due from the Admiralty or Army pay office.

(7.) Receipt given for the consideration money for the purchase of any share in any of the Government or parliamentary stocks or funds, or in stock of the East India Company, or in the stocks and funds of

A.D. 1870.

	£	s.	d.
the Secretary of State in Council of India, or of the Governor and Company of the Bank of England, or of the Bank of Ireland, or for any dividend paid on any share of the said stocks or funds respectively.			
(8.) Receipt given for any principal money or interest due on an exchequer bill.			
(9.) Receipt written upon a bill of exchange or promissory note duly stamped.			
(10.) Receipt given upon any bill or note of the Governor and Company of the Bank of England or the Bank of Ireland.			
(11.) Receipt indorsed or otherwise written upon or contained in any instrument liable to stamp duty, and duly stamped, acknowledging the receipt of the consideration money therein expressed, or the receipt of any principal money, interest, or annuity thereby secured or therein mentioned.			
(12.) Receipt given for drawback or bounty upon the exportation of any goods or merchandise from the United Kingdom.			
(13.) Receipt given for the return of any duties of customs upon certificates of over entry.			
(14.) Receipt endorsed upon any bill drawn by the Lords Commissioners of the Admiralty, or by any person under their authority, or under the authority of any Act of Parliament upon and payable by the Accountant General of the Navy.			
And *see* sections 122, 123, 124, and 125.			
RECONVEYANCE, RELEASE, or RENUNCIATION of any security. *See* Mortgage, &c.			
RELEASE or RENUNCIATION of any property, or of any right or interest in any property—			
Upon a sale. *See* Conveyance on Sale.			
By way of security. *See* Mortgage, &c.			
In any other case - - - - - -	0	10	0
RENUNCIATION. *See* Reconveyance and Release.			
RESIGNATION. Principal or original instrument of resignation, or service of cognition of heirs, or charter or seisin of any houses, lands, or other heritable subjects in Scotland, holding burgage, or of burgage tenure - - -	0	5	0
And Instrument of resignation of any lands or other heritable subjects in Scotland not of burgage tenure - - -	0	5	0
REVOCATION of any use or trust of any property by deed, or by any writing, not being a will - - -	0	10	0

£ s. d. A.D. 1870.

SCHEDULE, INVENTORY, or document of any kind whatsoever, referred to in or by, and intended to be used or given in evidence as part of, or as material to, any other instrument charged with any duty, but which is separate and distinct from, and not endorsed on or annexed to, such other instrument:

Where such other instrument is chargeable with any duty not exceeding 10*s.* - - - - - - The same duty as such other instrument.

In any other case - - - - - 0 10 0

Exemptions.

(1.) Printed proposals published by any corporation or company respecting insurances, and referred to in or by any policy of insurance issued by such corporation or company.

(2.) Any public map, plan, survey, apportionment, allotment, award, and other parochial or public document and writing, made under or in pursuance of any Act of Parliament, and deposited or kept for reference in any registry, or in any public office, or with the public books, papers, or writings of any parish.

SCRIP CERTIFICATE or SCRIP. *See* Letter of Allotment.

SEISIN. Instrument of seisin given upon any charter, precept of clare constat, or precept from chancery, or upon any wadset, heritable bond, disposition, apprizing, adjudication or otherwise of any lands or heritable subjects in Scotland, not of burgage tenure - - - - - 0 5 0

And any NOTARIAL INSTRUMENT to be expeded and recorded in any register of sasines - - - 0 5 0

SETTLEMENT. Any instrument, whether voluntary or upon any good or valuable consideration, other than a bonâ fide pecuniary consideration, whereby any definite and certain principal sum of money (whether charged or chargeable on lands or other hereditaments or heritable subjects, or not, or to be laid out in the purchase of lands or other hereditaments or heritable subjects or not) or any definite and certain amount of stock, or any security is settled or agreed to be settled in any manner whatsoever.

For every 100*l.*, and also for any fractional part of 100*l.*, of the amount or value of the property settled or agreed to be settled - - - - - - 0 5 0

Exemption.

Instrument of appointment relating to any property in favour of persons specially named or described as the

A.D. 1870.

	£	s.	d.
objects of a power of appointment, created by a previous settlement stamped with ad valorem duty in respect of the same property, or by will, where probate duty has been paid in respect of the same property as personal estate of the testator.			
And *see* sections 126, 127, and 128.			
SHARE WARRANT issued under the provisions of "The Companies Act, 1867."			
See section 33 of that Act, CONVEYANCE ON SALE, and section 129 of this Act.			
SURRENDER—			
Of copyholds. *See* COPYHOLD.			
Of any other kind whatsoever not chargeable with duty as a conveyance on sale or mortgage - - -	0	10	0
TACK of Lands, &c. in Scotland. *See* LEASE or TACK.			
TACK IN SECURITY. *See* MORTGAGE, &c.			
TRANSFER. *See* CONVEYANCE or TRANSFER.			
TRANSFER. Any request or authority to the purser or other officer of any mining company, conducted on the cost book system, to enter or register any transfer of any share, or part of a share, in any mine, or any notice to such purser or officer of any such transfer - - - -	0	0	6
And *see* section 130.			
VALUATION. *See* APPRAISEMENT.			
VOTING PAPER. Any instrument for the purpose of voting by any person entitled to vote at any meeting - -	0	0	1
And *see* section 104.			
WADSET. *See* MORTGAGE, &c.			
WARRANT OF ATTORNEY to confess and enter up a judgment given as a security for the payment or repayment of money or for the transfer or retransfer of stock. *See* MORTGAGE, &c.			
WARRANT OF ATTORNEY of any other kind - -	0	10	0
WARRANT FOR GOODS - - - -	0	0	3

Exemptions.

(1.) Any document or writing given by any inland carrier acknowledging the receipt of goods conveyed by such carrier.

(2.) A weight note issued together with a duly stamped warrant, and relating solely to the same goods, wares, or merchandise.

And *see* sections 90, 91, and 94.

A.D. 1870.

	£	s.	d.
WARRANT under the sign manual of Her Majesty, her heirs or successors - - - - -	0	10	0
WRIT—			
(1.) Of Acknowledgment under "The Registration of Leases (*Scotland*) Act."			
(2.) Of Acknowledgment by any person infeft of lands in Scotland in favour of the heir or disponee of a creditor fully vested in right of an heritable security constituted by infeftment.	0	5	0
(3.) Of Resignation, Confirmation, Clare Constat, or Investiture under "The Titles to Land Consolidation (*Scotland*) Act, 1868" - - -			

GENERAL EXEMPTIONS FROM ALL STAMP DUTIES.

(1.) Transfers of shares in the Government or parliamentary stocks or funds.

(2.) Instruments for the sale, transfer, or other disposition either absolutely or by way of mortgage, or otherwise, of any ship or vessel, or any part, interest, share, or property of or in any ship or vessel.

(3.) Instruments of apprenticeship, bonds, contracts, and agreements, entered into in the United Kingdom for or relating to the service in any of Her Majesty's colonies or possessions abroad of any person as an artificer, clerk, domestic servant, handicraftsman, mechanic, gardener, servant in husbandry, or labourer.

(4.) Testaments, testamentary instruments, and dispositions mortis causâ in Scotland.

(5.) Bonds given to sheriffs or other persons upon the replevy of any goods or chattels, and assignments of such bonds.

(6.) Commissions granted to officers of militia, yeomanry, or volunteers.

(7.) Instruments made by, to, or with the Commissioners or the First Commissioners of Her Majesty's Works and Public Buildings for any of the purposes of the Act 15 and 16 Vict. c. 28.

Stamp Duties.

A

BILL

[AS AMENDED IN COMMITTEE]

For granting certain Stamp Duties in
Duties of the same kind now payable
various Acts, and consolidating and a
ing Provisions relating thereto.

(*Prepared and brought in by*
Mr. Dodson, Mr. Chancellor of the Exchequ
and Mr. Stansfeld.)

Ordered, by The House of Commons, *to be Pr*
11 *July* 1870.

[Bill 209.]

Under 11 *oz.*

Stamp Duties Bill.

[AS AMENDED IN COMMITTEE (ON RE-COMMITMENT).]

ARRANGEMENT OF CLAUSES.

Clauses.

1. Short title and commencement of Act.
2. Interpretation of terms.
3. Grant of duties in schedule.
4. As to instruments charged with the duty of thirty-five shillings.
5. As to instruments relating to property belonging to the Crown.
6. All duties to be paid according to the regulations of this Act, and the schedule to be read as part of this Act.

General Regulations.

7. How instruments are to be written and stamped.
8. Instruments to be separately charged with duty in certain cases.
9. As to the use of appropriated stamps.
10. Facts and circumstances affecting duty to be set forth in instruments. Penalty 10*l.*
11. Money in foreign or colonial currency to be valued.
12. Stock and marketable securities to be valued.
13. Effect of statement of value.
14. As to denoting stamp.
15. Terms upon which instruments may be stamped after execution. Proviso as to instruments executed abroad; as to the remission of penalties.
16. Terms upon which unstamped or insufficiently stamped instruments may be received in evidence in any court. The officer of the court to account for duties and penalties.
17. Instrument not duly stamped inadmissible.
18. The commissioners may be required to express their opinion as to duty. Mode and effect of proceeding. Provisoes.

Clauses.
19. Person dissatisfied may appeal. Mode of proceeding.
20. The commissioners may call for, and refuse to proceed without, evidence. Proviso.
21. Rolls, books, &c. to be open to inspection. Penalty for refusal, 10*l.*
22. Penalty for enrolling, &c., any instrument not duly stamped, 10*l.*
23. How duties to be denoted.
24. General direction as to the cancellation of adhesive stamps. Penalty for neglect or refusal, 10*l.*
25. Penalty for frauds in relation to adhesive stamps, or to any duty, 50*l.*
26. Recovery of penalties.
27. Affidavits and declarations, how to be made.
28. Moneys received and not appropriated to be recoverable in Court of Exchequer.

Special Regulations.

As to Admissions generally.

29. Duty; how to be denoted.
30. Penalty on officers for neglect or refusal to prepare or make duly stamped documents or entries; 10*l.*

As to Admissions to the Degree of a Barrister-at-Law in Ireland, and of Students to the Society of King's Inns, Dublin.

31. Distinct accounts to be kept of certain sums payable to King's Inns, Dublin.
32. As to admission as a student of King's Inns, Dublin, of a member of Inns of Court in England.

As to Admissions or Appointments to and Grants of Offices or Employments.

33. Fees and emoluments; how to be estimated.
34. Re-appointments not chargeable with duty, except for augmentation.
35. No duty on promotion in the Customs, except for augmentation.

Clauses.

As to Agreements.

36. Duty may be denoted by adhesive stamp.

As to Appointments, &c. to Ecclesiastical Benefices, &c.

37. Net yearly value—how to be ascertained and determined.

As to Appraisements.

38. Appraisements to be written out. Penalty on the appraiser, 50*l.* On other offenders, 20*l.*

As to Instruments of Apprenticeship.

39. Interpretation of term.

40. Premium or consideration to be set out in writing. Penalty, 20*l.*, and the contract to be void.

As to original Articles of Clerkship.

41. Articles in England not to be charged with more than one duty of 80*l.*; and in certain cases may be stamped with additional duty.

42. Articles in Scotland not to be charged with more than one duty of 60*l.*; and in certain cases may be stamped with additional duty.

43. Terms upon which articles may be stamped after execution.

44. Distinct account to be kept of 14*l.* payable to King's Inns, Dublin.

As to Bank Notes, Bills of Exchange, and Promissory Notes.

45. Interpretation of terms.

46. Bank notes may be re-issued.

47. Penalty for issuing an unstamped bank note 50*l.* For receiving 20*l.*

48. Interpretation of term "Bill of exchange."

49. Interpretation of term "Promissory note."

50. The fixed duty may be denoted by adhesive stamp.

51. Ad valorem duties to be denoted in certain cases by adhesive stamps. Provisoes for the protection of bonâ fide holders; not to relieve any other person.

Clauses.
52. Bills and notes purporting to be drawn, &c. abroad, to be deemed to have been so drawn, &c.
53. Terms upon which bills and notes may be stamped after execution.
54. Penalty for issuing, &c. any unstamped bill or note, 10*l.*; and the bill or note to be unavailable. Proviso as to the fixed duty; not to relieve from penalty.
55. One bill only out of a set need be stamped.

As to Bills of Lading.

56. Bills of lading.

As to Bills of Sale.

57. Bills of sale.

As to Bonds given in relation to the Duties of Customs and Excise.

58. Bonds not to include goods, &c. belonging to more than one person. Penalty, 50*l.*

As to the Certificates of Attorneys and others.

59. Penalty for practising without a certificate, or not making true statement on application for certificate, 50*l.*, and incapacity to recover fees, &c.
60. Penalty on unqualified persons preparing instruments, 50*l.* Proviso.
61. One certificate only in England, Scotland, or Ireland.
62. Certificates of attorneys, and others, in England and Ireland, to be taken out and stamped, according to the provisions of Acts relating thereto.
63. Other certificates how to be taken out and stamped.
64. Certain certificates to be dated and to expire as in this section mentioned.

As to the Certificate of Registration of a Design.

65. Duty to be denoted by appropriated stamp.

As to Charter Parties.

66. Duty may be denoted by adhesive stamp.

Clauses.
67. As to charter parties executed abroad.
68. Terms upon which charter parties may be stamped after execution.

As to Contract Notes.

69. Duty may be denoted by adhesive stamp. Penalty for making an unstamped note, 20*l.*; and no brokerage, &c. recoverable.

As to Conveyances on Sale.

70. Interpretation of term.
71. How ad valorem duty to be calculated in respect of stock and securities.
72. How consideration consisting of periodical payments to be charged.
73. How conveyance in consideration of a debt, or subject to future payment, &c., to be charged.
74. Direction as to duty in certain cases.
75. As to the sale of an annuity or right not before in existence.
76. Where several instruments, the principal instrument only to be charged with ad valorem duty.
77. Principal instrument—how to be ascertained.

As to Conveyances on any occasion except Sale or Mortgage.

78. What is to be deemed a conveyance on any occasion, not being a sale or mortgage.

As to attested Copies and Extracts.

79. Certain copies and extracts may be stamped without penalty within 14 days after attestation.

As to certified Copies and Extracts from Registers of births, &c.

80. By whom duty to be paid may be denoted by adhesive stamp.

As to Copyhold and Customary Estates.

81. Payment of duty to be certified.
82. Not to be charged more than once.
83. Facts and circumstances affecting duty, how to be stated. Penalty, 50*l.*

Clauses.

84. Steward to refuse to perform certain acts. Penalty for not refusing, 50*l.*

85. Steward to make out duly stamped copies. Penalty for neglect, 50*l.*; and to be liable for the duty.

86. Steward may refuse to proceed except on payment of his fees, and duty.

As to Delivery Orders and Warrants for Goods.

87. Interpretation of term.

88. Interpretation of term.

89. Duty may be denoted by an adhesive stamp.

90. By whom duty on delivery order to be paid.

91. What documents to be chargeable as delivery orders. Penalty for making false statement, or signing, &c., or making use of, any order not duly stamped, or containing any false statement, 20*l.*

92. Penalty for making, &c. unstamped warrant, 20*l.*

As to Duplicates and Counterparts.

93. When duly stamped.

As to Exchange or Excambion and Partition or Division.

94. As to exchange or excambion, &c.

As to Grants of Honours and Dignities.

95. How to be charged in certain cases.

As to Leases, &c.

96. Agreements for not more than 35 years to be charged as leases.

97. Leases—how to be charged in respect of produce, &c. Effect of statement of value.

98. Directions as to duty in certain cases.

99. Duty in certain cases may be denoted by adhesive stamp.

100. Penalty in certain cases 5*l.* Proviso.

Clauses.

As to Letters of Allotment, Scrip Certificates, and Scrip.

101. Penalty for executing, &c. not duly stamped, 20*l.*

As to Letters or Powers of Attorney, and Voting Papers.

102. Proxies and voting papers confined to one meeting. Duty may be denoted by adhesive stamp. Penalty for executing, &c. not duly stamped, 50*l.*, and vote void. May not be stamped after execution.
103. Power relating to Government stocks—how to be charged.
104. Order to pay dividends not power of attorney.

As to Mortgages, &c.

105. Interpretation of term.
106. Security for stock,—how to be charged.
107. Security for future advances, how to be charged. Proviso.
108. Security for repayment by periodical payments, how to be charged.
109. As to transfers and further charges.
110. As to copyholds.
111. As to mortgage with conveyance of equity of redemption.
112. Exemption from stamp duty in favour of benefit building societies restricted.
113. Interpretation of term "Foreign security."
114. Penalty for issuing, &c. any foreign security not duly stamped. 20*l.*
115. Foreign securities may be stamped without penalty.

As to Notarial Acts.

116. Duty may be denoted by adhesive stamp.

As to Policies of Insurance.

117. Interpretation of terms.
118. Penalty for not making out policy; or making, &c. any policy not duly stamped, 20*l.*
119. Duty may be denoted by adhesive stamp. Penalty, 20*l.*

Clauses.

As to Receipts.

120. Interpretation of term.
121. Duty may be denoted by adhesive stamp.
122. Terms upon which receipts may be stamped after execution.
123. Penalty for offences.

As to Settlements.

124. As to settlement of policy or security. Proviso as to policies.
125. Settlements when not to be charged as securities.
126. Where several instruments one only to be charged with ad valorem duty.

As to Share Warrants.

127. Penalty for issuing share warrant not duly stamped, 50*l.*

As to Transfers of Shares in Cost Book Mines.

128. Duty may be denoted by adhesive stamp. Penalty for signing, &c., 20*l.*

Schedule.

Clauses and Heads of Charge.	References to the existing Law.
Clause 5 - -	55 Geo. 3. cap. 184., sched., tits. Grant, Lease.
„ 7 - -	1 Ann. stat. 2. cap. 22. sec. 5. 12 Ann. stat. 2. cap. 9. sec. 24.
„ 8 - -	44 Geo. 3. cap. 98. sec. 11. 55 Geo. 3. cap. 184., sched., tits. Conveyance, Bond, Mortgage. 13 & 14 Vict. cap. 97., sched., tit. settlement. 17 & 18 Vict. cap. 83. sec. 16., and many decisions in the courts of law. See Tilsley's Treatise, page 319, et seq.
„ 9 - -	43 Geo. 3. cap. 127. sec. 5 and 6. 48 Geo. 3. cap. 149. sec. 5. 50 Geo. 3. cap. 35. sec. 16. 55 Geo. 3. cap. 184. sec. 10.
„ 10 - -	48 Geo. 3. cap. 149. sec. 22. et seq., applicable only to conveyances on sale, extended by the Bill in a modified form to all cases.
„ 11 - -	27 Vict. cap. 18. sec. 11. 13. as to settlements, made generally applicable.
„ 12 - -	13 & 14 Vict. cap. 97., sched., tits. Conveyance, Mortgage. 27 Vict. cap. 18. sec. 11. 13., settlements made generally applicable.
„ 13 - -	New.
„ 14 - -	55 Geo. 3. cap. 184., sched., tits. Conveyance, Mortgage. 13 & 14 Vict. cap. 97., sched., tit. Settlement, and others.

Clauses and Heads of Charge.	References to the existing Law.
Clause 15 - -	13 & 14 Vict. cap. 97. sec. 12, 13.
„ 16 - -	17 & 18 Vict. cap. 125. sec. 28, 29, (England). 19 & 20 Vict. cap. 102. sec. 34, 35, (Ireland). 31 & 32 Vict. cap. 100. sec. 41, 42, (Scotland).
„ 17 - -	5 Wm. & Mary, cap. 21. and subsequent Acts modified as to criminal proceedings by 17 & 18 Vict. cap. 83. sec. 27.
„ 18, 19, & 20 -	13 & 14 Vict. cap. 97. sec. 14, 15. 16 & 17 Vict. cap. 59. sec. 13. 17 & 18 Vict. cap. 83. sec. 17, 18.
„ 21 - -	5 Geo. 3. cap. 46. sec. 38.
„ 22 - -	5 Wm. & Mary, cap. 21. sec. 11.
„ 24 - -	There is no general enactment on the subject, but several relating to particular instruments which it is not necessary to specify.
„ 25 - -	16 & 17 Vict. cap. 59. sec. 5. 23 Vict. cap. 15. sec. 14.
„ 28 - -	13 & 14 Vict. cap. 97. sec. 8.
Admissions generally, and clauses 29 and 30.	5 Geo. 3. cap. 46. sec. 4. 55 Geo. 3. cap. 184., sched., tit. Admission.
Clause 31 - -	5 & 6 Vict. cap. 82. sec. 8.
„ 32 - -	5 & 6 Vict. cap. 79. sec. 22.
Clauses 33 and 34 -	55 Geo. 3. cap. 184., sched., tit. Grant, &c.
Clause 35 - -	3 Geo. 4. cap. 117. sec. 4.

Clauses and Heads of Charge.	References to the existing Law.
Admission to corporation, &c.	55 Geo. 3. cap. 184. 2 & 3 Will. 4. cap. 91. 5 & 6 Will. 4. cap. 76. sec. 22. 1 & 2 Vict. cap. 35. 3 & 4 Vict. cap. 108. sec. 48. 5 & 6 Vict. cap. 82. 9 Vict. cap. 117. 19 & 20 Vict. cap. 81.
Affidavit or statutory declaration.	55 Geo. 3. cap. 184., schedules 1 and 2. 5 Geo. 4. cap. 41. 5 & 6 Will. 4. cap. 62. 4 & 5 Vict. cap. 34. 23 Vict. cap. 15.
Agreement under Highway Acts.	28 & 29 Vict. cap. 96. sec. 30.
Agreement, and clause 36.	23 Vict. cap. 15., sched., tit. Agreement, and sec. 15. 23 & 24 Vict. cap. 111. sec. 12.
Appointment to ecclesiastical benefice, and clause 37.	27 Vict. cap. 18., sched. (C.)
Appointment of a new trustee, &c.	55 Geo. 3. cap. 184., sched., tit. Appointment in execution, &c.
Appraisement, and clause 38.	46 Geo. 3. cap. 43. secs. 8 and 9. 28 & 29 Vict. c. 96. sec. 2.
Apprenticeship, and clauses 39 and 40.	8 Ann. cap. 9. secs. 35 and 39. 55 Geo. 3. cap. 184., sched., tit. Apprenticeship. 16 & 17 Vict. cap. 59., sched.
Articles of clerkship -	55 Geo. 3. cap. 184., sched., tit. Articles. 16 & 17 Vict. cap. 59. sec. 7. 16 & 17 Vict. cap. 63., sched.

Clauses and Heads of Charge.	References to the existing Law.
Clauses 41 and 42 -	1 Wm. 4 cap. 70. sec. 17. 30 & 31 Vict. cap. 96. sec. 23.
Clause 43 - -	19 & 20 Vict. cap. 81. sec. 3.
,, 44 - -	5 & 6 Vict. cap. 82. sec. 8.
Award - - -	28 & 29 Vict. cap. 96. sec. 3.
Bank note, and clauses 45, 46, 47.	55 Geo. 3. cap. 184., sched., Promissory Note, and sec. 11, 14, 15. 17 & 18 Vict. cap. 83. sec. 11, 12.
Bill of exchange and promissory note, and clauses 48 to 57.	55 Geo. 3. cap. 184. sec. 11. 16 & 17 Vict. cap. 59. sec. 3. and sched. 17 & 18 Vict. cap. 83. sec. 3, 4, 5, 6, and sched. 21 Vict. cap. 20. 23 Vict. cap. 15. sec. 12, 13, and sched. 23 & 24 Vict. cap. 111. sec. 5, 17, 18, and sched. 24 & 25 Vict. cap. 21. sched. (B.) 27 & 28 Vict. cap. 56. sec. 2.
Bill of lading, and clause 58.	5 & 6 Vict. cap. 79. sec. 21. and sched. 5 & 6 Vict. cap. 82. sec. 34. and sched.
Bill of sale, and clause 59.	24 & 25 Vict. cap. 91. sec. 34.
Bond &c. (annuity) -	13 & 14 Vict. cap. 97., sched., tits. Bond, and Covenant.
Bond as to Customs, and clause 60.	6 Geo. 4. cap. 41 sec. 4. 13 & 14 Vict. cap. 97.
Bonds generally -	55 Geo. 3. cap. 184., sched. 13 & 14 Vict. cap. 97., sched.

Clauses and Heads of Charge.	References to the existing Law.
Certificates of attorneys and others, clauses 61 to 66.	16 & 17 Vict. cap. 63., sched. 25 Geo. 3. cap. 80. 37 Geo. 3. cap. 90. 39 & 40 Geo. 3. cap. 72. 44 Geo. 3. cap. 98. sec. 14. 54 Geo. 3. cap. 144. 9 Geo. 4. cap. 49., and the Acts mentioned in clause 64.
Certificates of goods, &c.	55 Geo. 3. cap. 184., sched.
Certificate of registration of design, and clause 67.	6 & 7 Vict. cap. 65. 6 & 7 Vict. cap. 72. sec. 3.
Charter of resignation, &c.	13 & 14 Vict. cap. 97., sched.
Charter party, clauses 68, 69, 70.	28 & 29 Vict. cap. 96. sec. 7.
Commissions, Army and Navy, Inland Revenue, Lunacy.	55 Geo. 3. cap. 184.
Contract Note, and Clause 71.	23 & 24 Vict. cap. 111., sched., and sec. 7.
Conveyance or transfer, Sched. (1), (2), (3).	(1) & (2) 55 Geo. 3. cap. 184. (3) 31 & 32 Vict. cap. 124. sec. 12.
On sale, and clauses 72 to 79.	55 Geo. 3. cap. 184., sched. 13 & 14 Vict. cap. 97., sched. 16 & 17 Vict. cap. 59., sec. 10, 11. 17 & 18 Vict. cap. 83., sched., and sec. 16. 28 & 29 Vict. cap. 96. sec. 1.
Of any other kind, and clause 80.	55 Geo. 3. cap. 184., sched.

Clauses and Heads of Charge.	References to the existing Law.
Copy or extract attested, and clause 81.	55 Geo. 3. cap. 184., sched. 8 & 9 Vict. cap. 76. sec. 2. (Ireland).
Certified, and clause 82	23 Vict. cap. 15., sched. 23 & 24 Vict. cap. 111., sec. 16.
Copyhold and clauses 83–88	48 Geo. 3. cap. 149. sec. 30 et seq. 55 Geo. 3. cap. 184., sched. 13 & 14 Vict. cap. 97., sched. 17 & 18 Vict. cap. 83., sched.
Covenant (separate) -	13 & 14 Vict. cap. 97., sched.
Debenture for drawback.	16 & 17 Vict. cap. 59., sched.
Declaration of use, &c.	55 Geo. 3. cap. 184., sched.
Deed (general) -	55 Geo. 3. cap. 184., sched.
Delivery order, and clauses 89, 91, 92, 93.	23 Vict. cap. 15., sched., and sec. 8, 9, 10. 23 & 24 Vict. cap. 111. sec. 13 and 14.
Deputation of gamekeeper.	55 Geo. 3. cap. 184., sched.
Disposition, Scotland (general).	55 Geo. 3. cap. 184., sched.
Docket - -	55 Geo. 3. cap. 184., sched.
Duplicate or counterpart and clause 95.	13 & 14 Vict. cap. 97., sched. 16 & 17 Vict. cap. 59. sec. 12. 24 & 25 Vict. cap. 91. sec. 31.
Exchange, and clause 96.	55 Geo. 3. cap. 184., sched.
Exemplification -	55 Geo. 3. cap. 184., sched.
Faculty - -	55 Geo. 3. cap. 184., sched.

Clauses and Heads of Charge.	References to the existing Law.
Grant and clause 97 -	55 Geo. 3. cap. 184., sched.
Lease or tack, and clauses 98–102.	13 & 14 Vict. cap. 97. sched. 17 & 18 Vict. cap. 83., sched., and sec. 23. 23 Vict. cap. 15., sched. 24 & 25 Vict. cap. 21., sched. (B.), and sec. 14, 15. 28 & 29 Vict. cap. 96. sec. 5.
Letter of allotment, &c., and clause 103.	30 & 31 Vict. cap. 90. sec. 20.
Letter of attorney, &c., and clauses 104, 105, and 106.	55 Geo. 3. cap. 184., sched. 7 Vict. cap. 21., sched. 19 & 20 Vict. cap. 81. sec. 2. 23 Vict. cap. 15., sched. 24 & 25 Vict. cap. 91. sec. 26, 27. 27 & 28 Vict. cap. 56. sec. 3. 27 & 28 Vict. cap. 90.
Licence for marriage -	55 Geo. 3. cap. 184., sched. 5 & 6 Vict. cap. 82. sec. 4., Ireland.
Licence, ecclesiastical	55 Geo. 3. cap. 184., sched. 16 & 17 Vict. cap. 59. sec. 9. 28 & 29 Vict. cap. 96. sec. 4.
Memorial - - -	13 & 14 Vict. cap. 97., sched.
Mortgage, &c., and clauses 107–117.	55 Geo. 3. cap. 184., sched. 13 & 14 Vict. cap. 97. sched. 28 & 29 Vict. cap. 96. sec. 17. } (Transfer.) 30 & 31 Vict. cap. 90. sec. 23. } 25 Vict. cap. 22., sched., and sec. 38. } Foreign Security. 31 & 32 Vict. cap. 124. sec. 10. }
Notarial Act, and clause 118.	24 & 25 Vict. cap. 91. sec. 25.
Passport - - -	21 Vict. cap. 24.

Clauses and Heads of Charge.	References to the existing Law.
Policy, and clauses 119, 120, 121.	Life, 16 & 17 Vict. cap. 59., sched., and sec. 6. 16 & 17 Vict. cap. 63. sec. 10, 11. 23 & 24 Vict. cap. 111. sec. 10. General, 28 & 29 Vict. cap. 96. sec. 10. 28 Vict. cap. 30., sched. And see 10 Ann. cap. 26. sec. 71.
Precept of clare constat.	13 & 14 Vict. cap. 97., sched.
Procuration - -	55 Geo. 3. cap. 184., sched.
Protest - -	24 & 25 Vict. cap. 91. sec. 25.
Receipt and clauses 122–125.	35 Geo. 3. cap. 55. 43 Geo. 3. cap. 126. 16 & 17 Vict. cap. 59., sched. 17 & 18 Vict. cap. 83. sec. 14. 28 & 29 Vict. cap. 96. sec. 16.
Release or renunciation.	55 Geo. 3. cap. 184., sched.
Resignation, Scotland	13 & 14 Vict. cap. 97., sched.
Revocation - -	55 Geo. 3. cap. 184., sched.
Schedule - -	13 & 14 Vict. cap. 97., sched. 17 & 18 Vict. cap. 83. sec. 22.
Seisin, Scotland -	13 & 14 Vict. cap. 97., sched.
Settlement, and clauses 126–129.	55 Geo. 3. cap. 184., sched. 13 & 14 Vict. cap. 97., sched. 27 Vict. cap. 18. sec. 11, 12, 13.
Share warrant, and clause 130.	30 & 31 Vict. cap. 131. sec. 33.
Surrender - -	55 Geo. 3. cap. 184., sched. 13 & 14 Vict. cap. 97., sched., tit. Lease.

Clauses and Heads of Charge.	References to the existing Law.
Transfer, cost book mines, and clause 131.	23 Vict. cap. 15., sched.
Voting paper, and clause 104.	27 Vict. cap. 18., sched.
Warrant of attorney -	13 & 14 Vict. cap. 97., sched.
Warrant for goods, and clauses 90, 91, 94.	23 Vict. cap. 15., sched., tit. Dock Warrant. 23 & 24 Vict. cap. 111. sec. 15., and see Delivery Order.
Warrant under sign manual.	55 Geo. 3. cap. 184., sched.
Writ, Scotland -	16 & 17 Vict. cap. 63. sec. 6., and the Acts referred to in the schedule under the head.
General exemptions -	(1.) 55 Geo. 3. cap. 184., sched. (2.) 6 Geo. 4. cap. 41. sec. 1. (3.) 17 & 18 Vict. cap. 83. sec. 21. (4.) 23 Vict. cap. 15. sec. 7. (5.) 5 Geo. 4. cap. 41. sec. 1. (6.) 55 Geo. 3. cap. 184., tit. Commission.

A

B I L L

[AS AMENDED IN COMMITTEE (ON RE-COMMITMENT)]

FOR

Granting certain Stamp Duties in lieu of Duties of the same kind now payable under various Acts, and consolidating and amending Provisions relating thereto. A.D. 1870.

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal subjects, the Commons of the United Kingdom of Great Britain and Ireland, in Parliament assembled, towards raising the necessary supplies to defray Your Majesty's public expenses, and making an addition to the public revenue, have freely and voluntarily resolved to give and grant unto Your Majesty the several duties herein-after mentioned; and do therefore most humbly beseech Your Majesty that it may be enacted:

And be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title, and commencement of Act.

1. This Act may be cited as "The Stamp Act, 1870," and shall come into operation on the first day of January one thousand eight hundred and seventy-one, which date is herein-after referred to as the commencement of this Act.

Interpretation of terms.

2. In the construction, and for the purposes, of this Act the following words have the meanings by this section assigned to them, unless it is otherwise provided, or there be something in the context repugnant thereto:

(1.) "The Commissioners" means the Commissioners of Inland Revenue:

(2.) "Material" means and includes every sort of material upon which words or figures can be expressed:

(3.) "Write," "written," and "writing," include every mode in which words or figures can be expressed upon material:

A.D. 1870.

(4.) "Instrument" means and includes every written document:

(5.) "Stamp" means as well a stamp impressed by means of a die, as an adhesive stamp:

(6.) "Stamped," with reference to instruments and material, applies as well to instruments and material impressed with stamps by means of a die, as to instruments and material having adhesive stamps affixed thereto:

(7.) "Executed" and "Execution," with reference to instruments not under seal, mean signed and signature:

(8.) "Money" includes all sums expressed in British, or in any foreign or colonial currency:

(9.) "Stock" means and includes any share in any stocks or funds transferable at the Bank of England or at the Bank of Ireland, and India promissory notes, and any share in the stocks or funds of any foreign or colonial state or government, or in the capital stock or funded debt of any company, corporation, or society in the United Kingdom, or of any foreign or colonial company, corporation, or society:

(10.) "Marketable security" means a security of such a description as to be capable of being sold in any stock market in the United Kingdom:

(11.) "Person" includes company, corporation, and society.

(12.) "Steward" of a manor includes deputy steward.

Grant of duties in schedule.

3. From and after the commencement of this Act, and subject to the exemptions contained in the schedule to this Act, and in any other Acts for the time being in force, there shall be charged for the use of Her Majesty, her heirs and successors, upon the several instruments specified in the schedule to this Act, the several duties in the said schedule specified, and no other duties.

As to instruments charged with the duty of 35*s*.

4. Any instrument which by any Act heretofore passed, and not relating to stamp duties, is specifically charged with the duty of thirty-five shillings, shall, from and after the commencement of this Act, be chargeable only with the duty of ten shillings, in lieu of the said duty of thirty-five shillings.

As to instruments relating to property belonging to the Crown.

5. Except where express provision to the contrary is made by this or any other Act, an instrument relating to property belonging to the Crown, or being the private property of the Sovereign, is to be charged with the same duty as an instrument of the same kind relating to property belonging to a subject.

All duties to be paid according to the regulations of this Act, and the schedule to be read as part of this Act.

6. (1.) All stamp duties which may from time to time be chargeable by law upon any instruments, are to be paid and denoted according to the general and special regulations in this Act contained.

(2.) The said schedule, and everything therein contained, is to be read and construed as part of this Act.

General Regulations.

How instruments are to be written and stamped.

7. (1.) Every instrument written upon stamped material is to be written in such manner, and every instrument partly or wholly written before being stamped is to be so stamped, that the stamp may appear on the face of the instrument, and cannot be used for or applied to any other instrument written upon the same piece of material.

(2.) If more than one instrument be written upon the same piece of material, every one of such instruments is to be separately and distinctly stamped with the duty with which it is chargeable.

Instruments to be separately charged with duty in certain cases.

8. Except where express provision to the contrary is made by this or any other Act,

(1.) An instrument containing or relating to several distinct matters is to be separately and distinctly charged, as if it were a separate instrument, with duty in respect of each of such matters.

(2.) An instrument made for any consideration or considerations in respect whereof it is chargeable with ad valorem duty, and also for any further or other valuable consideration or considerations, is to be charged with duty in respect of such last-mentioned consideration or considerations, as if it were a separate instrument made for such consideration or considerations only.

As to the use of appropriated stamps.

9. (1.) A stamp, which by any word or words on the face of it is appropriated to any particular description of instrument, is not to be used, or, if used, is not to be available, for an instrument of any other description.

(2.) An instrument falling under the particular description to which any stamp is so appropriated as aforesaid is not to be deemed duly stamped, unless it is stamped with the stamp so appropriated.

Facts and circumstances affecting duty to be set forth in instruments.

10. All the facts and circumstances affecting the liability of any instrument to ad valorem duty, or the amount of the ad valorem duty with which any instrument is chargeable, are to be fully and truly set forth in the instrument, and every person who, with intent to defraud Her Majesty, or her heirs or successors,

(1.) Executes any instrument in which all the said facts and circumstances are not fully and truly set forth :

A.D. 1870.

Penalty, 10*l.*

(2.) Being employed or concerned in or about the preparation of any instrument, neglects or omits fully and truly to set forth therein all the said facts and circumstances:

Shall forfeit the sum of ten pounds.

Money in foreign or colonial currency to be valued.

11. Where an instrument is chargeable with ad valorem duty in respect of any money in any foreign or colonial currency, such duty shall be calculated on the value of such money in British currency, according to the current rate of exchange on the day of the date of the instrument.

Stock and marketable securities to be valued.

12. Where an instrument is chargeable with ad valorem duty in respect of any stock, or of any marketable security, such duty shall be calculated on the value of such stock or security, according to the average price thereof on the day of the date of the instrument.

Effect of statement of value.

13. Where an instrument contains a statement of current rate of exchange, or average price, as the case may require, and is stamped in accordance with such statement, it is, so far as regards the subject matter of such statement, to be deemed duly stamped, unless or until it is shown that such statement is untrue, and that the instrument is in fact insufficiently stamped.

As to denoting stamp.

14. Where the duty with which an instrument is chargeable depends in any manner upon the duty paid upon another instrument, the payment of such last-mentioned duty shall, if application be made to the commissioners for that purpose, and on production of both the instruments, be denoted in such manner as the commissioners think fit upon such first-mentioned instrument.

Terms upon which instruments may be stamped after execution.

15. (1.) Except where express provision to the contrary is made by this or any other Act, any unstamped or insufficiently stamped instrument may be stamped after the execution thereof, on payment of the unpaid duty and a penalty of ten pounds, and also by way of further penalty, where the unpaid duty exceeds ten pounds, of interest on such duty, at the rate of five pounds per centum per annum, from the day upon which the instrument was first executed up to the time when such interest is equal in amount to the unpaid duty.

And the payment of any penalty or penalties is to be denoted on the instrument by a particular stamp.

Proviso.

(2.) Provided as follows:

As to instruments executed abroad.

(a.) Any unstamped or insufficiently stamped instrument, which has been first executed at any place out of the United Kingdom, may be stamped, at any time within two months after it has been first received in the United Kingdom, on payment of the unpaid duty only:

A.D. 1870.

(b.) The commissioners may, if they think fit, at any time within twelve months after the first execution of any instrument, remit the penalty or penalties, or any part thereof.

As to the remission of penalties.

Terms upon which unstamped or insufficiently stamped instruments may be received in evidence in any court.

16. (1.) Upon the production of an instrument chargeable with any duty as evidence in any court of civil judicature in any part of the United Kingdom, the officer, whose duty it is to read the instrument, shall call the attention of the judge to any omission or insufficiency of the stamp thereon, and if the instrument is one which may legally be stamped after the execution thereof, it may, on payment to the officer of the amount of the unpaid duty, and the penalty payable by law on stamping the same as aforesaid, and of a further sum of one pound, be received in evidence, saving all just exceptions on other grounds.

The officer of the court to account for duties and penalties.

(2.) The officer receiving the said duty and penalty shall give a receipt for the same, and make an entry in a book kept for that purpose of the payment and of the amount thereof, and shall communicate to the commissioners the name or title of the cause or proceeding in which, and of the party from whom, he received the said duty and penalty, and the date and description of the instrument, and shall pay over to the Receiver General of Inland Revenue, or to such other person as the commissioners may appoint, the money received by him for the said duty and penalty.

(3.) Upon production to the commissioners of any instrument in respect of which any duty or penalty has been paid as aforesaid, together with the receipt of the said officer, the payment of such duty and penalty shall be denoted on such instrument accordingly.

Instrument not duly stamped inadmissible.

17. Save and except as aforesaid, no instrument executed in any part of the United Kingdom, or relating, wheresoever executed, to any property situate, or to any matter or thing done or to be done, in any part of the United Kingdom, shall, except in criminal proceedings, be pleaded or given in evidence, or admitted to be good, useful, or available in law or equity, unless it is duly stamped in accordance with the law in force at the time when it was first executed.

The Commissioners may be required to express their opinion as to duty.

18. (1.) Subject to such regulations as the commissioners may think fit to make, the commissioners may be required by any person to express their opinion with reference to any executed instrument upon the following questions :—

(*a.*) Whether it is chargeable with any duty.

(*b.*) With what amount of duty it is chargeable.

A.D. 1870.

Mode and effect of proceeding.

(2.) If the commissioners are of opinion that the instrument is not chargeable with any duty, such instrument may be stamped with a particular stamp denoting that it is not chargeable with any duty.

(3.) If the commissioners are of opinion that the instrument is chargeable with duty, they shall assess the duty with which it is in their opinion chargeable, and if or when the instrument is duly stamped in accordance with the assessment of the commissioners, it may be also stamped with a particular stamp denoting that it is duly stamped.

(4.) Every instrument stamped with the particular stamp, denoting either that it is not chargeable with any duty, or is duly stamped, shall be admissible in evidence, and available for all purposes notwithstanding any objection relating to duty.

Provisoes.

(5.) Provided as follows:—

(*a.*) An instrument upon which the duty has been assessed by the commissioners shall not, if it is unstamped, or insufficiently stamped, be stamped otherwise than in accordance with the assessment of the commissioners:

(*b.*) Nothing in this section contained extends to any instrument chargeable with duty, and made as a security for money or stock without limit:

(*c.*) Nothing in this section contained shall be deemed to authorize the stamping after the execution thereof of any instrument prohibited by law from being so stamped.

Person dissatisfied may appeal.

19. (1.) Any person, who is dissatisfied with the assessment of the commissioners made in pursuance of the last preceding section, may, within twenty-one days after the date of such assessment, and on payment of duty in conformity therewith, appeal against such assessment to Her Majesty's Court of Exchequer in England, Scotland, or Ireland, according to the country in which the case has arisen, and may for that purpose require the commissioners to state and sign a case, setting forth the question upon which their opinion was required, and the assessment made by them.

Mode of proceeding.

(2.) The commissioners shall thereupon state and sign a case accordingly, and deliver the same to the person by whom it is required, and on his application such case may be set down for hearing in the proper court.

(3.) Upon the hearing of such case (due notice of which is to be given to the commissioners) the court shall determine the question submitted, and if the instrument in question is in the opinion of the court chargeable with any duty, shall assess the duty with which it is so chargeable.

A.D. 1870.

(4.) If it is decided by the court that the assessment of the commissioners is erroneous, any excess of duty which may have been paid in conformity with such erroneous assessment, together with any penalty which may have been paid in consequence thereof, shall be ordered by the court to be repaid by the commissioners to the appellant, together with the costs incurred by him in relation to the appeal.

(5.) But if the assessment of the commissioners is confirmed by the court, the costs incurred by the commissioners in relation to the appeal shall be ordered by the court to be paid by the appellant to the commissioners.

The commissioners may call for and refuse to proceed without evidence.

20. (1.) In any case of application to the commissioners with reference to any instrument, the commissioners may require to be furnished with an abstract of the instrument, and also with such evidence as they may deem necessary, in order to show to their satisfaction whether all the facts and circumstances affecting the liability of the instrument to duty, or the amount of the duty chargeable thereon, are fully and truly set forth therein, and may refuse to proceed upon any such application until such abstract and evidence has been furnished accordingly.

Proviso.

(2.) Provided that no affidavit or statutory declaration, made in pursuance of this section, shall be used against any person making the same in any proceeding whatever, except in an inquiry as to the duty with which the instrument to which it relates is chargeable, and every person by whom any such affidavit or declaration is made shall, on payment of the full duty with which the instrument to which it relates is chargeable, be relieved from any penalty, forfeiture, or disability he may have incurred by reason of the omission to state truly in such instrument any of the facts or circumstances aforesaid.

Rolls, books, &c. to be open to inspection.

21. (1.) All public officers having in their custody any rolls, books, records, papers, documents, or proceedings, the inspection whereof may tend to secure any duty, or to the proof or discovery of any fraud or omission in relation to any duty, shall at all seasonable times permit any person thereunto authorized by the commissioners to inspect all such rolls, books, records, papers, documents, and proceedings, and to take such notes and extracts as he may deem necessary, without fee or reward.

Penalty for refusal, 10*l*

(2.) Every person who refuses to permit such inspection shall, for every such refusal, forfeit the sum of ten pounds.

A.D. 1870.

Penalty for enrolling, &c. any instrument not duly stamped, 10*l.*

22. If any person whose office it is to enrol, register, or enter in or upon any rolls, books, or records any instrument chargeable with any duty enrols, registers, or enters any such instrument not being duly stamped he shall forfeit the sum of ten pounds.

How duties to be denoted.

23. Except where express provision is made to the contrary, all duties are to be denoted by impressed stamps only.

General direction as to the cancellation of adhesive stamps.

24. (1.) An instrument, the duty upon which is required, or permitted by law, to be denoted by an adhesive stamp, is not to be deemed duly stamped with an adhesive stamp, unless the person required by law to cancel such adhesive stamp cancels the same by writing on or across the stamp his name or initials, or the name or initials of his firm, together with the true date of his so writing, so that the stamp may be effectually cancelled, and rendered incapable of being used for any other instrument, or unless it is otherwise proved that the stamp appearing on the instrument was affixed thereto at the proper time.

Penalty for neglect or refusal, 10*l.*

(2.) Every person who, being required by law to cancel an adhesive stamp, wilfully neglects or refuses duly and effectually to do so in manner aforesaid, shall forfeit the sum of ten pounds.

Penalty for frauds in relation to adhesive stamps

25. Any person who—

(1.) Fraudulently removes, or causes to be removed, from any instrument any adhesive stamp, or affixes any adhesive stamp, which has been so removed, to any other instrument with intent that such stamp may be used again,

(2.) Sells, or offers for sale, or utters, any adhesive stamp which has been so removed, or utters any instrument having thereon any adhesive stamp which has to his knowledge been so removed as aforesaid,

(3.) Practises, or is concerned in, any fraudulent act, contrivance, or device not specially provided for, with intent to defraud Her Majesty, her heirs or successors, of any duty,

or to any duty, 50*l.*

Shall forfeit, over and above any other penalty to which he may be liable, the sum of fifty pounds.

Recovery of penalties.

26. (1.) Penalties incurred under this Act are to be sued for by information in the Court of Exchequer—in England, in the name of the Attorney-General for England; in Scotland, in the name of the Lord Advocate; and in Ireland, in the name of the Attorney-General for Ireland; and may be recovered with full costs of suit.

(2.) The Commissioners may, at their discretion, mitigate, or stay or compound proceedings for, any penalty, and reward any person who may inform them of any offence against this Act, or assist in the recovery of any penalty.

A.D. 1870.

Affidavits and declarations how to be made.

27. Any affidavit or declaration, to be made in pursuance or for the purposes of this Act, may be made before any of the commissioners, or any officer or person authorized by them in that behalf, or before a person appointed to administer oaths in the Court of Chancery in England or Ireland, or before any person commissioned to take affidavits by the Court of Session in Scotland, or before any justice of the peace or notary public in any part of the United Kingdom, or, at any place out of the United Kingdom, before any person duly authorized to administer oaths there.

Moneys received and not appropriated, to be recoverable in Court of Exchequer.

28. (1.) Every person who, having received any sum of money as or for the duty upon or in respect of any instrument, neglects or omits to appropriate such money to the due payment of such duty, or otherwise improperly withholds or detains the same, shall be accountable for the amount of such duty, and the same shall be a debt from him to Her Majesty, Her heirs or successors, and recoverable as such accordingly.

(2.) The Court of Exchequer in England, Scotland, or Ireland, may, upon application to be made for that purpose on behalf of the commissioners, upon such affidavit as may appear sufficient, grant a rule, requiring any such person as aforesaid, or the officer of any court, or the executor or administrator of such person or officer, to show cause why he should not deliver to the commissioners an account upon oath of all duties and sums of money received by such person or officer, and why the same should not be forthwith paid to the Receiver-General of Inland Revenue, or to such other person as the commissioners may appoint to receive the same; and the court may make absolute any such rule, and enforce by attachment or otherwise the payment of any such duties or sums of money as on such proceedings may appear to be due, together with the costs of the proceedings.

Special Regulations.

As to Admissions generally.

Duty, how to be denoted.

29. The duty payable under this Act upon an admission is to be denoted on the instrument of admission delivered to the person admitted, if there be any such instrument, or if not, on the register, entry, or memorandum of the admission in the rolls, books, or records of the court, inn, college, borough, burgh, company, corporation, guild, or society in which the admission is made, and in cases in

A.D. 1870.

which no instrument of admission is delivered, and no register, entry, or memorandum is made, on the rescript or warrant for admission.

Penalty on officers for neglect or refusal to prepare or make duly stamped documents or entries;

30. If any person whose office it is to prepare or deliver out any instrument of admission chargeable with any duty, or to register, enter, or make any memorandum of any admission in respect of which no instrument of admission is delivered to the person admitted, neglects or refuses, within one month after the admission, to prepare a duly stamped instrument of admission, or to make a proper and duly stamped register, entry, or memorandum of the admission, as the case may require, he shall forfeit the sum of ten pounds.

10*l.*

As to Admissions to the Degree of a Barrister-at-Law in Ireland, and of Students to the Society of King's Inns, Dublin.

Distinct accounts to be kept of certain sums payable to King's Inns, Dublin.

31. Distinct accounts are to be kept of the sums following; that is to say:—

(1.) Ten pounds, part of the duty of fifty pounds payable on the admission to the degree of a barrister-at-law in Ireland of a person not previously admitted to that degree in England:

(2.) Ten pounds, payable for duty on the like admission of a person who has been previously admitted to the said degree in England:

(3.) Ten pounds, part of the duty payable on the admission of a student into the Society of King's Inns, Dublin.

And the said sums are respectively to be paid over by the Receiver-General of Inland Revenue to the treasurer of the Society of King's Inns, Dublin, to be applied by him according to the directions of the said society.

As to admission as a student of King's Inns, Dublin, of a member of Inns of Court in England.

32. If any person, who has been duly admitted a member of one of the Inns of court in England, is afterwards duly admitted a student of the Society of King's Inns in Dublin, the duty paid by him in respect of his former admission is, on application made within six months after the last admission, to be allowed and returned to him.

As to Admissions or Appointments to and Grants of Offices or Employments.

Fees and emoluments how to be estimated.

33. The fees and emoluments appertaining to any office or employment are, when practicable, to be estimated according to the

average amount thereof for three years preceding the date of the admission, appointment, or grant, and in other cases according to the best information that can be obtained.

Re-appointments not chargeable with duty,

except for augmentation.

34. Where any office or employment is granted anew to any person upon the revocation of any former grant thereof or appointment thereto, in respect of which the proper duty has been paid, no duty is to be charged on the grant or appointment by way of renewal, unless the salary, fees, and emoluments of the office or employment are in any manner augmented; and in that case duty is to be charged on such last-mentioned grant or appointment in proportion to the amount of the augmentation only.

No duty on promotion in the Customs except for augmentation.

35. Upon the promotion of any person from any office or employment in Her Majesty's Customs, in respect of which he has paid the proper duty, to any other office or employment therein, the appointment of such person to the office or employment to which he is so promoted is to be charged with duty in respect only of any augmentation in his salary, fees, and emoluments.

As to Agreements.

Duty may be denoted by adhesive stamp.

36. The duty of sixpence upon an agreement may be denoted by an adhesive stamp, which is to be cancelled by the person by whom the agreement is first executed.

As to Appointments, &c. to Ecclesiatical Benefices, &c.

Net yearly value, how to be ascertained and determined.

37. The net yearly value of an ecclesiastical benefice, dignity, or promotion, or of a perpetual curacy in England, whether the emoluments thereof consist of money or of produce, or partly of money and partly of produce, is to be ascertained and determined by the certificate of the Ecclesiastical Commissioners for England to be written on the instrument charged with duty.

Provided that two or more benefices, or a benefice and any ecclesiastical dignity or promotion episcopally or permanently united, shall be deemed one benefice only.

As to Appraisements.

Appraisements to be written out.

38. (1.) Every appraiser, by whom an appraisement or valuation is made, shall, within fourteen days after the making thereof, write

A.D. 1870.

out the same, in words and figures showing the full amount thereof, upon duly stamped material, and if he neglects or omits so to do, or in any other manner delivers out, or states the amount of, any such appraisement or valuation, shall forfeit the sum of fifty pounds.

Penalty on the appraiser, 50*l.*

(2.) Any person who receives from any appraiser, or pays for the making of, any appraisement or valuation, unless the same be written out and stamped as aforesaid, shall forfeit the sum of twenty pounds.

On other offenders, 20*l.*

As to Instruments of Apprenticeship.

Interpretation of term.

39. Every writing relating to the service or tuition of any apprentice, clerk, or servant placed with any master to learn any profession, trade, or employment, (except articles of clerkship to attorneys and others, hereby specifically charged with duty,) is to be deemed an instrument of apprenticeship.

Premium or consideration to be set out in writing.

40. The full sum of money, and the value of any other matter or thing paid, given, or assigned, or secured to be paid, given, or assigned, to or for the benefit of the master, with or in respect of any apprentice, clerk, or servant (not being a person bound to serve in order to admission in any court) is to be fully and truly set forth in an instrument of apprenticeship; and if any such sum, or other matter or thing, be paid, given, assigned, or secured as aforesaid, and no such instrument be made, or if any such instrument be made, and such sum, or the value of such other matter or thing, be not set forth therein as aforesaid, the master, and also the apprentice himself, if of full age, and any other person, being a party to the contract, or by whom any such sum, or other matter or thing, is paid, given, assigned, or secured shall forfeit the sum of twenty pounds; and the contract, and the instrument (if any) containing the same, shall be null and void.

Penalty, 20*l.*, and the contract to be void.

As to original Articles of Clerkship.

Articles in England not to be charged with more than one duty of 80*l.*

41. (1.) Where the same articles are a qualification for the admission of any person, not only as an attorney or solicitor in any of Her Majesty's courts at Westminster, but also as an attorney or solicitor in any of the courts of the counties palatine of Lancaster and Durham, such articles are not to be charged with more than one duty of eighty pounds.

A.D. 1870.

(2.) Where any person has become bound by duly stamped articles in order to his admission as an attorney or solicitor in any of the courts of the counties palatine of Lancaster and Durham, such articles shall, on payment of such further amount of duty as, together with the amount of duty previously paid thereon, will make up the sum of eighty pounds, be impressed with a stamp denoting the payment of such further duty, and shall thereupon be considered to be sufficiently stamped for the purpose of entitling such person to admission in any of the courts at Westminster.

And in certain cases may be stamped with additional duty.

42. (1.) Where the same articles are a qualification for the admission of any person, not only as a writer to the signet, or as a solicitor, agent, or attorney in any of the courts of session, justiciary, or commission of teinds, but also as a procurator or solicitor in any inferior court in Scotland, such articles are not to be charged with more than one duty of sixty pounds.

Articles in Scotland not to be charged with more than one duty of 60*l.*

(2.) Where any person has become bound by duly stamped articles in order to his admission as a procurator or solicitor in any inferior court in Scotland, such articles shall, on payment of such further amount of duty as, together with the amount previously paid thereon, will make up the sum of sixty pounds, be impressed with a stamp denoting the payment of such further duty, and shall thereupon be considered to be sufficiently stamped for entitling such person to admission as a writer to the signet, or as a solicitor, agent, or attorney in the court of session, justiciary, or commission of teinds.

And in certain cases may be stamped with additional duty.

43. Save as herein-before provided, articles of clerkship are not to be stamped at any time after the expiration of six months from the date thereof, except upon payment of penalties, as follows:

Terms upon which articles may be stamped after execution.

(1.) If brought to be stamped within one year after date, ten pounds:

(2.) If so brought after one year, and within five years after date—

For every complete year, and also for any additional part of a year elapsed since the date, ten pounds:

(3.) In every other case, fifty pounds.

44. The sum of fourteen pounds, part of the duty payable on articles of clerkship in Ireland, shall be carried to a separate account, and paid over by the receiver-general of inland revenue to the treasurer of the society of King's Inns, Dublin, to be applied by him according to the directions of the said society.

Distinct account to be kept of 14*l.* payable to King's Inns, Dublin.

A.D. 1870.

As to Bank Notes, Bills of Exchange, and Promissory Notes.

Interpretation of terms.

45. The term "Banker" means and includes any corporation, society, partnership, and persons, and every individual person carrying on the business of banking in the United Kingdom.

The term "Bank note" means and includes—

(1.) Any bill of exchange or promissory note issued by any banker, other than the Governor and Company of the Bank of England, for the payment of money not exceeding one hundred pounds to the bearer on demand:

(2.) Any bill of exchange or promissory note so issued, which entitles or is intended to entitle the bearer or holder thereof, without indorsement, or without any further or other indorsement than may be thereon at the time of the issuing thereof, to the payment of money not exceeding one hundred pounds on demand, whether the same be so expressed or not, and in whatever form, and by whomsoever such bill or note is drawn or made.

Bank notes may be re-issued.

46. A bank note issued duly stamped, or issued unstamped by a banker duly licensed or otherwise authorized to issue unstamped bank notes, may be from time to time re-issued without being liable to any stamp duty by reason of such re-issuing.

Penalty for issuing an unstamped bank note, 50*l.*

47. (1.) If any banker, not being duly licensed or otherwise authorized to issue unstamped bank notes, issues, or causes or permits to be issued, any bank note not being duly stamped, he shall forfeit the sum of fifty pounds.

for receiving, 20*l.*

(2.) If any person receives or takes any such bank note in payment or as a security, knowing the same to have been issued unstamped contrary to law, he shall forfeit the sum of twenty pounds.

Interpretation of term "Bill of Exchange."

48. (1.) The term "Bill of Exchange" for the purposes of this Act includes also draft, order, cheque, and letter of credit, and any document or writing (except a bank note) entitling or purporting to entitle any person, whether named therein or not, to payment by any other person of, or to draw upon any other person for, any sum of money therein mentioned.

(2.) An order for the payment of any sum of money by a bill of exchange or promissory note, or for the delivery of any bill of exchange or promissory note in satisfaction of any sum of money, or for the payment of any sum of money, out of any particular fund which may or may not be available, or upon any condition or

A.D. 1870.

contingency which may or may not be performed or happen, is to be deemed for the purposes of this Act a bill of exchange for the payment of money on demand.

(3.) An order for the payment of any sum of money weekly, monthly, or at any other stated periods, and also any order for the payment by any person at any time after the date thereof, of any sum of money, and sent or delivered by the person making the same to the person by whom the payment is to be made, and not to the person to whom the payment is to be made, or to any person on his behalf, is to be deemed for the purposes of this Act a bill of exchange for the payment of money on demand.

Interpretation of term "Promissory note."

49. (1.) The term "Promissory note" means and includes any document or writing (except a bank note) containing a promise to pay any sum of money.

(2.) A note promising the payment of any sum of money, out of any particular fund, which may or may not be available, or upon any condition or contingency which may or may not be performed or happen, is to be deemed for the purposes of this Act a promissory note for the said sum of money.

The fixed duty may be denoted by adhesive stamp.

50. The fixed duty of one penny on a bill of exchange for the payment of money on demand may be denoted by an adhesive stamp, which is to be cancelled by the person by whom the bill is signed, before he delivers it out of his hands, custody, or power.

Ad valorem duties to be denoted in certain cases by adhesive stamps.

51. (1.) The ad valorem duties upon bills of exchange and promissory notes drawn or made out of the United Kingdom are to be denoted by adhesive stamps.

(2.) Every person into whose hands any such bill or note comes in the United Kingdom before it is stamped, shall, before he presents for payment, or indorses, transfers, or in any manner negotiates, or pays such bill or note, affix thereto a proper adhesive stamp or proper adhesive stamps of sufficient amount, and cancel every stamp so affixed thereto.

(3.) Provided as follows :—

Provisoes for the protection of bonâ fide holders ;

(*a.*) If, at the time when any such bill or note comes into the hands of any bonâ fide holder thereof, there is affixed thereto an adhesive stamp effectually obliterated, and purporting and appearing to be duly cancelled, such stamp shall, so far as relates to such holder, be deemed to be duly cancelled, although it may not appear to have been so affixed or cancelled by the proper person.

A.D. 1870.

(*b.*) If, at the time when any such bill or note comes into the hands of any bonâ fide holder thereof, there is affixed thereto an adhesive stamp not duly cancelled, it shall be competent for such holder to cancel such stamp, as if he were the person by whom it was affixed, and upon his so doing such bill or note shall be deemed duly stamped, and as valid and available as if the stamp had been duly cancelled by the person by whom it was affixed.

not to relieve any other person.

(4.) But neither of the foregoing provisoes is to relieve any person from any penalty incurred by him for not cancelling any adhesive stamp.

Bills and notes purporting to be drawn, &c. abroad, to be deemed to have been so drawn, &c.

52. A bill of exchange or promissory note, purporting to be drawn or made out of the United Kingdom, is, for the purposes of this Act, to be deemed to have been so drawn or made, although it may in fact have been drawn or made within the United Kingdom.

Terms upon which bills and notes may be stamped after execution.

53. (1.) Where a bill of exchange or promissory note has been written on material bearing an impressed stamp of sufficient amount, but of improper denomination, it may be stamped with the proper stamp, on payment of the duty, and a penalty of forty shillings, if the bill or note be not then payable according to its tenor, and of ten pounds, if the same be so payable.

(2.) Except as aforesaid, no bill of exchange or promissory note shall be stamped with an impressed stamp after the execution thereof.

Penalty for issuing, &c. any unstamped bill or note, 10*l.*; and the bill or note to be unavailable.

54. (1.) Every person who issues, indorses, transfers, negotiates, presents for payment, or pays any bill of exchange or promissory note liable to duty and not being duly stamped, shall forfeit the sum of ten pounds; and the person who takes or receives from any other person any such bill or note not being duly stamped, either in payment, or as a security, or by purchase, or otherwise, shall not be entitled to recover thereon, or to make the same available for any purpose whatever.

Proviso as to the fixed duty;

(2.) Provided that if any bill of exchange for the payment of money on demand, liable only to the duty of one penny, is presented for payment unstamped, the person to whom it is so presented may affix thereto a proper adhesive stamp, and cancel the same, as if he had been the drawer of the bill, and may, upon so doing, pay the sum in the said bill mentioned, and charge the

duty in account against the person by whom the bill was drawn, or deduct such duty from the said sum, and such bill is, so far as respects the duty, to be deemed good and valid. A.D. 1870.

(3.) But the foregoing proviso is not to relieve any person from any penalty he may have incurred in relation to such bill. not to relieve from penalty.

55. When a bill of exchange is drawn in a set according to the custom of merchants, and one of the set is duly stamped, the other or others of the set shall, unless issued or in some manner negotiated apart from such duly stamped bill, be exempt from duty; and upon proof of the loss or destruction of a duly stamped bill forming one of a set, any other bill of the set, which has not been issued, or in any manner negotiated, apart from such lost or destroyed bill, may, although unstamped, be admitted in evidence to prove the contents of such lost or destroyed bill. One bill only out of a set need be stamped.

As to Bills of Lading.

56. (1.) A bill of lading is not to be stamped after the execution thereof. Bills of lading.

(2.) Every person who makes or executes any bill of lading not duly stamped, shall forfeit the sum of fifty pounds.

As to Bills of Sale.

57. A copy of a bill of sale is not to be filed in any court, unless the original, duly stamped, is produced to the proper officer. Bills of sale.

As to Bonds given in relation to the Duties of Customs and Excise.

58. If any person required by any Act of Parliament, or by the direction of the Commissioners of Customs or Inland Revenue, or any of their officers, to give or enter into any bond for or in respect of any duties of customs or excise, or for preventing frauds or evasions thereof, or for any matter or thing relating thereto, includes in one and the same bond any goods or things belonging to more persons than one, not being co-partners or joint tenants, or tenants in common, he shall for every such offence forfeit the sum of fifty pounds. Bonds not to include goods, &c. belonging to more than one person. Penalty 50*l.*

As to the Certificates of Attorneys and others.

59. (1.) Every person who in any part of the United Kingdom— Penalty for practising without a certificate,

(*a.*) Directly or indirectly acts or practises in any court as an attorney, solicitor, proctor, writer to the signet, agent, or procurator, or as a notary public, without having in force at the time a duly stamped certificate according to the provisions herein-after contained and referred to:

A.D. 1870.

or not making true statement, on application for certificate. 50*l.*, and incapacity to recover fees, &c.

(*b.*) On applying for any such certificate, does not truly specify the facts and circumstances upon which the amount of duty chargeable upon his certificate depends:

Shall forfeit the sum of fifty pounds, and shall be incapable of maintaining any action or suit for the recovery of any fee, reward, or disbursement, on account of, or in relation to, any act or proceeding done or taken by him in any such capacity.

(2.) Any person in whose name, either alone or together with any other person, any proceeding is taken in any court, shall, unless the proceeding is set aside by the court as irregular, or unless the contrary is otherwise satisfactorily proved, be deemed to have acted in such proceeding.

Penalty on unqualified persons preparing instruments, 50*l.*

60. Every person who (not being a serjeant-at-law, barrister, or a duly certificated attorney, solicitor, proctor, notary public, writer to the signet, agent, procurator, conveyancer, special pleader, or draftsman in equity) either directly or indirectly, for or in expectation of any fee, gain, or reward, draws or prepares any instrument relating to real or personal estate, or any proceedings in law or equity, shall forfeit the sum of fifty pounds.

Proviso.

Provided as follows:—

(1.) This section does not extend to—

(*a.*) Any public officer drawing or preparing instruments in the course of his duty:

(*b.*) Any person employed merely to engross any instrument or proceedings.

(2.) The term "instrument" in this section does not include—

(*a.*) Wills or other testamentary instruments:

(*b.*) Agreements under hand only:

(*c.*) Letters or powers of attorney:

(*d.*) Transfers of stock containing no trust or limitation thereof:

One certificate only in England, Scotland, or Ireland,

61. It shall not be necessary for any person to take out in England, Scotland, or Ireland more than one certificate for any one year.

Certificates of attorneys and others in England and Ireland, to be taken out and stamped according to the pro-

62. The certificates of attorneys, solicitors, and proctors in England and Ireland are to be applied for, taken out, issued, dated, and stamped,—

(1.) In England, in accordance with the provisions in that behalf of an Act of the sixth and seventh years of Her Majesty, intituled, "An Act for consolidating and amending "several of the Laws relating to attorneys and solicitors,"

and of an Act of the twenty-third and twenty-fourth years of Her Majesty, intituled, "An Act to amend the Laws "relating to Attorneys and Solicitors and certificated "Conveyancers." A.D. 1870. Provisions of Acts relating thereto.

(2.) In Ireland, in accordance with the provisions in that behalf of "The Attorneys and Solicitors Act, Ireland, 1866."

63. Every person required to take out a certificate to authorize him to practise— Other Certificates how to be taken out and stamped.

(1.) In Scotland, as a writer to the signet, solicitor, agent, or procurator:

(2.) In England or Ireland, as a conveyancer, special pleader, or draftsman in equity:

(3.) In any part of the United Kingdom, as a notary public:

Shall, yearly and every year, before he does any act in any of the aforesaid capacities, deliver to the commissioners, or to their proper officer, in such manner and form as they shall direct, a note in writing stating his full name and the place where he carries on his business, and thereupon, and upon payment of the proper duty, shall be entitled to such certificate, which is to be duly stamped and issued to him by the commissioners.

64. The certificates in this section specified are to be dated and to expire at the times herein-after in that behalf mentioned; that is to say, Certain certificates to be dated and to expire as in this section mentioned.

(1.) The certificates of writers to the signet, solicitors, agents, attorneys, procurators, and notaries public in Scotland, and of conveyancers, special pleaders, and draftsmen in equity in England, are to be dated, if taken out between the thirty-first of October and the first of December, on the first of November, and if taken out at any other time, on the day on which they are issued, and are in all cases to expire on the thirty-first of October next after their date.

(2.) The certificates of notaries public in England are to be dated, if taken out between the fifteenth of November and the sixteenth of December, on the sixteenth of November, and if taken out at any other time, on the day on which they are issued, and are in all cases to expire on the fifteenth of November next after their date.

A.D. 1870.

(3.) The certificates of conveyancers, special pleaders, draftsmen in equity, and notaries public in Ireland, are to be dated on the day on which they are issued, and are to expire, as to the certificates of notaries public, on the twenty-fifth day of March next after their date, and in all other cases on the sixth day of January next after their date.

As to the Certificate of Registration of a Design.

Duty to be denoted by an appropriated stamp.

65. The duty of five pounds upon the certificate of the registration of a design is to be denoted by a stamp to be specially appropriated for expressing and denoting the said duty.

As to Charter Parties.

Duty may be denoted by an adhesive stamp.

66. The duty upon an instrument chargeable with duty as a charter-party may be denoted by an adhesive stamp, which is to be cancelled by the person by whom the instrument is last executed, or by whose execution it is completed as a binding contract.

As to charter-parties executed abroad.

67. Where any document chargeable with duty as a charter-party, and not being duly stamped, is first executed out of the United Kingdom, any party thereto may, within ten days after it has been first received in the United Kingdom, and before it has been executed by any person in the United Kingdom, affix thereto an adhesive stamp denoting the duty chargeable thereon, and at the same time cancel such adhesive stamp; and the instrument with an adhesive stamp thereon so affixed and cancelled shall be deemed duly stamped.

Terms upon which charter-parties may be stamped after execution.

68. An executed instrument chargeable with duty as a charter-party, and not being duly stamped, may be stamped with an impressed stamp upon the following terms; that is to say,

(1.) Within seven days after the first execution thereof, on payment of the duty and a penalty of four shillings and sixpence:

(2.) After seven days, but within one month after the first execution thereof, on payment of the duty and a penalty of ten pounds:

And shall not in any other case be stamped with an impressed stamp.

As to Contract Notes.

Duty may be denoted by adhesive stamp.

69. (1.) The duty on a contract note may be denoted by an adhesive stamp, which is to be cancelled by the person by whom the note is first executed.

A.D. 1870.

(2.) Every person who makes or executes any contract note chargeable with duty, and not being duly stamped, shall forfeit the sum of twenty pounds.

Penalty for making an unstamped note, 20*l.*;

(3.) No broker, agent, or other person shall have any legal claim to any charge for brokerage, commission, or agency, with reference to the sale or purchase of any stock or marketable security of the value of five pounds or upwards, mentioned or referred to in any contract note, unless such note is duly stamped.

and no brokerage, &c. recoverable.

As to Conveyances on Sale.

Interpretation of term.

70. The term "Conveyance on sale" includes every instrument, and every decree or order of any court or of any commissioners, whereby any property upon the sale thereof is legally or equitably transferred to or vested in the purchaser, or any other person on his behalf or by his direction.

How ad valorem duty to be calculated in respect of stock and securities.

71. (1.) Where the consideration, or any part of the consideration, for a conveyance on sale consists of any stock or marketable security, such conveyance is to be charged with ad valorem duty in respect of the value of such stock or security.

(2.) Where the consideration, or any part of the consideration, for a conveyance on sale consists of any security not being a marketable security, such conveyance is to be charged with ad valorem duty in respect of the amount due on the day of the date thereof for principal and interest upon such security.

How consideration consisting of periodical payments to be charged.

72. (1.) Where the consideration, or any part of the consideration, for a conveyance on sale consists of money payable periodically for a definite period, so that the total amount to be paid can be previously ascertained, such conveyance is to be charged in respect of such consideration with ad valorem duty on such total amount.

(2.) Where the consideration, or any part of the consideration, for a conveyance on sale consists of money payable periodically in perpetuity, or for any indefinite period not terminable with life, such conveyance is to be charged in respect of such consideration with ad valorem duty on the total amount, which will or may, according to the terms of sale, be payable during the period of twenty years next after the day of the date of such instrument.

(3.) Where the consideration, or any part of the consideration, for a conveyance on sale consists of money payable periodically

A.D. 1870.

during any life or lives, such conveyance is to be charged in respect of such consideration with ad valorem duty on the amount, which will or may, according to the terms of sale, be payable during the period of twelve years next after the day of the date of such instrument.

(4.) Provided that no conveyance on sale, chargeable with ad valorem duty in respect of any periodical payments, and containing also provision for securing such periodical payments, is to be charged with any duty whatsoever in respect of such provision, and no separate instrument made in any such case for securing such periodical payments is to be charged with any higher duty than ten shillings.

How conveyance in consideration of a debt, or subject to future payment, &c. to be charged.

73. Where any property is conveyed to any person in consideration, wholly or in part, of any debt due to him, or subject either certainly or contingently to the payment or transfer of any money or stock, whether being or constituting a charge or incumbrance upon the property or not, such debt, money, or stock is to be deemed the whole, or part, as the case may be, of the consideration in respect whereof the conveyance is chargeable with ad valorem duty.

Direction as to duty in certain cases.

74. (1.) Where any property has been contracted to be sold for one consideration for the whole, and is conveyed to the purchaser in separate parts or parcels by different instruments, the consideration is to be apportioned in such manner as the parties think fit, so that a distinct consideration for each separate part or parcel is set forth in the conveyance relating thereto, and such conveyance is to be charged with ad valorem duty in respect of such distinct consideration.

(2.) Where property contracted to be purchased for one consideration for the whole by two or more persons jointly, or by any person for himself and others, or wholly for others, is conveyed in parts or parcels by separate instruments to the persons by or for whom the same was purchased, for distinct parts of the consideration, the conveyance of each separate part or parcel is to be charged with ad valorem duty in respect of the distinct part of the consideration therein specified.

(3.) Where a person, having contracted for the purchase of any property, but not having obtained a conveyance thereof, contracts to sell the same to any other person, and the property is, in consequence, conveyed immediately to the sub-purchaser, the conveyance is to be charged with ad valorem duty in respect of the

consideration for the sale by the original purchaser to the sub-purchaser. A.D. 1870.

(4.) Where a person having contracted for the purchase of any property, but not having obtained a conveyance, contracts to sell the whole, or any part or parts thereof, to any other person or persons, and the property is, in consequence, conveyed by the original seller to different persons in parts or parcels, the conveyance of each part or parcel is to be charged with ad valorem duty, in respect only of the consideration moving from the sub-purchaser thereof, without regard to the amount or value of the original consideration.

(5.) Where a sub-purchaser takes an actual conveyance of the interest of the person immediately selling to him, which is chargeable with ad valorem duty in respect of the consideration moving from him, and is duly stamped accordingly, any conveyance to be afterwards made to him of the same property by the original seller shall be exempt from the said ad valorem duty, and chargeable only with the duty to which it may be liable under any general description; but such last-mentioned duty shall not exceed the ad valorem duty.

As to the sale of an annuity or right not before in existence.

75. Where upon the sale of any annuity or other right not before in existence, such annuity or other right is not created by actual grant or conveyance, but is only secured by bond, warrant of attorney, covenant, contract, or otherwise, the bond or other instrument, or some one of such instruments, if there be more than one, is to be charged with the same duty as an actual grant or conveyance, and is for all the purposes of this Act to be deemed an instrument of conveyance on sale.

Where several instruments, the principal instrument only to be charged with ad valorem duty.

76. Where there are several instruments of conveyance for completing the purchaser's title to the property sold, the principal instrument of conveyance only is to be charged with ad valorem duty, and the other instruments are to be respectively charged with such other duty as they may be liable to, but such last-mentioned duty shall not exceed the ad valorem duty payable in respect of the principal instrument.

Principal instrument, how to be ascertained.

77. (1.) In the cases below specified the principal instrument is to be ascertained in the following manner:—

(*a.*) Where any copyhold or customary estate is conveyed by a deed, no surrender being necessary, the deed is to be deemed the principal instrument:

A.D. 1870.

(*b.*) In other cases of copyhold or customary estates, the surrender or grant, if made out of court, or the memorandum thereof, and the copy of court roll of the surrender or grant, if made in court, shall be deemed the principal instrument:

(*c.*) Where in Scotland there is a disposition or assignation executed by the seller, and any other instrument is executed for completing the title, the disposition or assignation is to be deemed the principal instrument.

(2.) In any other case the parties may determine for themselves which of several instruments is to be deemed the principal instrument, and may pay the ad valorem duty thereon accordingly.

As to Conveyances on any occasion except Sale or Mortgage.

What is to be deemed a conveyance on any occasion, not being a sale or mortgage.

78. Every instrument, and every decree or order of any court or of any commissioners, whereby any property on any occasion, except a sale or mortgage, is transferred to or vested in any person, is chargeable with duty as a conveyance or transfer of property.

Provided that a conveyance or transfer made for effectuating the appointment of a new trustee is not to be charged with any higher duty than ten shillings.

As to attested Copies and Extracts.

Certain copies and extracts may be stamped without penalty within 14 days after attestation.

79. An attested or otherwise authenticated copy or extract of or from—

(1.) An instrument chargeable with any duty;

(2.) An original will, testament, or codicil;

(3.) The probate or probate copy of a will or codicil;

(4.) Letters of administration or a confirmation of a testament;

may be stamped at any time within fourteen days after the date of the attestation or authentication, on payment of the duty only without any penalty.

As to certified Copies and Extracts from Registers of births, &c.

By whom duty to be paid; may be denoted by adhesive stamp.

80. The duty upon a certified copy or extract of or from any register of births, baptisms, marriages, deaths, or burials, is to be paid by the person requiring the copy or extract, and may be denoted by an adhesive stamp, which is to be cancelled by the person by whom the copy or extract is signed, before he delivers the same out of his hands, custody, or power.

As to Copyhold and Customary Estates. A.D. 1870.

Payment of duty to be certified.

81. (1.) The copy of court roll of a surrender or grant made out of court shall not be admissible or available as evidence of the surrender or grant, unless the surrender or grant, or the memorandum thereof, is duly stamped, of which fact the certificate of the steward of the manor on the face of such copy shall be sufficient evidence.

(2.) The entry upon the court rolls of a surrender or grant shall not be admissible or available as evidence of the surrender or grant unless the surrender or grant, if made out of court, or the memorandum thereof, or the copy of court roll of the surrender or grant, if made in court, is duly stamped, of which fact the certificate of the steward of the manor in the margin of such entry shall be sufficient evidence.

Not to be charged more than once.

82. No instrument is to be charged more than once with duty by reason of relating to several distinct tenements, in respect whereof several fines or fees are due to the lord or steward of the manor.

Facts and circumstances affecting duty—how to be stated.

83. (1.) All the facts and circumstances affecting the liability to ad valorem duty of the copy of court roll of any surrender or grant made in court, or the amount of ad valorem duty with which any such copy of court roll is chargeable, are to be fully and truly stated in a note to be delivered to the steward of the manor before the surrender or grant is made.

Penalty 50*l.*

(2.) Every person who, with intent to defraud Her Majesty, her heirs or successors,

(*a.*) Makes in court any surrender before such a note as aforesaid has been delivered to the steward of the manor:

(*b.*) Being employed or concerned in or about the preparation of any such note as aforesaid, neglects, or omits fully and truly to state therein all the above-mentioned facts and circumstances:

Shall forfeit the sum of fifty pounds.

Steward to refuse to perform certain acts.

84. The steward of every manor shall refuse—

(1.) To accept in court any surrender, or to make in court any grant, until such a note as is required by the last preceding section has been delivered to him:

(2.) To enter on the court rolls, or accept any presentment of, or admit any person to be tenant under or by virtue of, any surrender or grant made out of court, or any deed which is not duly stamped:

Penalty for not refusing 50*l.*

And in any case in which he does not so refuse, shall forfeit the sum of fifty pounds.

A.D. 1870.

Steward to make out duly stamped copies.

85. The steward of every manor shall, within four months from the day on which any surrender or grant is made in court, make out a duly stamped copy of court roll of such surrender or grant, and have the same ready for delivery to the person entitled thereto; and if he neglects so to do, shall forfeit the sum of fifty pounds; and the duty payable in respect of such copy of court roll shall be a debt to Her Majesty, her heirs or successors, from such steward, whether he shall have received it or not, and shall be recoverable by the summary means provided for the recovery of duties received and not applied, and if he has not received the duty, the same shall also be a debt to Her Majesty, her heirs or successors, from the party entitled to such copy, and recoverable from him in manner aforesaid.

Penalty for neglect, 50*l.*; and to be liable for the duty.

Steward may refuse to proceed except on payment of his fees and duty.

86. The steward of any manor may, before he accepts in court any surrender or makes in court any grant, demand and insist on the payment of his lawful fees in relation to the surrender or grant, together with the duty payable on the copy of court roll thereof, and may refuse to proceed in any such matter or to deliver such copy of court roll to any person until such fees and duty are paid.

As to Delivery Orders and Warrants for Goods.

Interpretation of term.

87. The term "Delivery order" means any document or writing entitling, or intended to entitle, any person therein named, or his assigns, or the holder thereof, to the delivery of any goods, wares, or merchandise, of the value of forty shillings, or upwards, lying in any dock or port, or in any warehouse in which goods are stored or deposited on rent or hire, or upon any wharf, such document or writing being signed by or on behalf of the owner of such goods, wares, or merchandise, upon the sale or transfer of the property therein.

Interpretation of term.

88. The term "Warrant for goods" means any document or writing, being evidence of the title of any person therein named, or his assigns, or the holder thereof, to the property in any goods, wares, or merchandise lying in any warehouse or dock, or upon any wharf, and signed or certified by or on behalf of the person having the custody of such goods, wares, or merchandise.

Duty may be denoted by an adhesive stamp.

89. The duty upon a delivery order, or warrant for goods, may be denoted by an adhesive stamp, which is to be cancelled by the person by whom the instrument is made, executed, or issued.

By whom duty on delivery order to be paid.

90. The duty upon a delivery order is, in the absence of any special stipulation, to be paid by the person to whom the order is given, and any person, from whom a delivery order chargeable with

duty is required, may refuse to give it, unless or until the amount of the duty is paid to him. A.D. 1870.

What documents to be chargeable as delivery orders.

91. (1.) Every document or writing in the nature of a delivery order is to be deemed to have been given upon a sale of, or transfer of the property in, goods, wares, or merchandise, of the value of forty shillings or upwards, unless the contrary is expressly stated therein, and every person who

Penalty for making false statement,

(*a.*) Untruly states, or knowingly or willingly allows it to be untruly stated, in any such document or writing, either that the transaction to which it relates is not a sale or transfer of property, or that the goods, wares, or merchandise to which it relates are not of the value of forty shillings.

or signing, &c.

(*b.*) Makes, signs, or issues any delivery order chargeable with duty, but not being duly stamped.

or making use of any order not duly stamped, or containing any false statement, 20*l.*

(*c.*) Knowingly or wilfully, either himself, or by his servant or any other person, procures or requires or authorizes the delivery of, or delivers, any goods, wares, or merchandise mentioned in any delivery order, which is not duly stamped, or which contains to his knowledge any false statement with reference either to the nature of the transaction, or the value of the goods, wares, or merchandise, shall forfeit the sum of twenty pounds.

(2.) But no delivery order is, by reason of the same being unstamped, to be deemed invalid in the hands of the person having the custody of, or delivering out, the goods, wares, or merchandise therein mentioned, unless such person is proved to have been party or privy to some fraud on the revenue in relation thereto.

Penalty for making, &c. unstamped warrant, 20*l.*

92. Every person who makes, executes, or issues, or receives or takes by way of security or indemnity, any warrant for goods not being duly stamped, shall forfeit the sum of twenty pounds.

As to Duplicates and Counterparts.

When duly stamped.

93. The duplicate or counterpart of an instrument chargeable with duty (except the counterpart of an instrument chargeable as a lease, such counterpart not being executed by or on behalf of any lessor or grantor) is not to be deemed duly stamped, unless it is stamped as an original instrument, or unless it appears by some stamp impressed thereon that the full and proper duty has been paid upon the original instrument of which it is the duplicate or counterpart.

As to Exchange or Excambion and Partition or Division.

As to exchange or excambion, &c.

94. Where, upon the exchange of any real or heritable property for any other real or heritable property, or upon the partition or

A.D. 1870.

division of any real or heritable property, any consideration exceeding in amount or value one hundred pounds is paid, or given, or agreed to be paid or given, for equality, the principal or only instrument whereby such exchange or partition or division is effected is to be charged with the same ad valorem duty as a conveyance on sale for such consideration, and with such duty only, and where in any such case there are several instruments for completing the title of either party, the principal instrument is to be ascertained, and the other instruments are to be charged with duty, according to the provisions of the seventy-eighth and seventy-ninth sections of this Act.

As to Grants of Honours and Dignities.

How to be charged in certain cases.

95. (1.) Where two or more honours or dignities are granted by the same letters patent to the same person, such letters patent are to be charged with the proper duty in respect of the highest in point of rank only.

(2.) Where any honour, or dignity, honours or dignities, is or are granted to any person or persons in remainder, the letters patent are to be charged with such further duty in respect of every remainder as would have been payable for an original grant of the same honour or dignity, honours or dignities.

As to Leases, &c.

Agreements for not more than thirty-five years to be charged as leases.

96. (1.) An agreement for a lease or tack, or with respect to the letting of any lands, tenements, or heritable subjects for any term not exceeding thirty-five years, is to be charged with the same duty as if it were an actual lease or tack made for the term and consideration mentioned in the agreement.

(2.) A lease or tack made subsequently to, and in conformity with, such an agreement duly stamped is to be charged with the duty of sixpence only.

Leases how to be charged in respect of produce, &c.

97. (1.) Where the consideration, or any part of the consideration, for which any lease or tack is granted, or agreed to be granted, does not consist of money, but consists of any produce or other goods, the value of such produce or goods is to be deemed a consideration in respect of which the lease or tack or agreement is chargeable with ad valorem duty, and where it is stipulated that the value of such produce or goods is to amount at least to, or is not to exceed, a given sum, or where the lessee is specially charged with, or has the option of paying after, any permanent rate of conversion, the value of such produce or goods is, for the purpose of assessing the ad valorem duty, to be estimated at such given sum, or according to such permanent rate.

A.D. 1870.

(2.) A lease or tack or agreement made either entirely or partially for any such consideration, if it contains a statement of the value of such consideration, and is stamped in accordance with such statement, is, so far as regards the subject matter of such statement, to be deemed duly stamped, unless or until it is otherwise shown that such statement is incorrect, and that it is in fact not duly stamped.

Effect of statement of value.

98. (1.) A lease or tack, or agreement for a lease or tack, or with respect to any letting, is not to be charged with any duty in respect of any penal rent, or increased rent in the nature of a penal rent, thereby reserved or agreed to be reserved or made payable, or by reason of being made in consideration of the surrender or abandonment of any existing lease, tack, or agreement of or relating to the same subject matter.

Directions as to duty in certain cases.

(2.) No lease made for any consideration or considerations in respect whereof it is chargeable with ad valorem duty, and in further consideration, either of a covenant by the lessee to make, or of his having previously made, any substantial improvement of or addition to the property demised to him, or of any covenant relating to the matter of the lease, is to be charged with any duty in respect of such further consideration.

(3.) No lease for a life or lives not exceeding three, or for a term of years determinable with a life or lives not exceeding three, and no lease for a term absolute not exceeding twenty-one years, granted by an ecclesiastical corporation aggregate or sole is to be charged with any higher duty than thirty-five shillings.

(4.) No lease for a definite term exceeding thirty-five years granted under the "Trinity College (Dublin) Leasing and Perpetuity Act, 1851," is to be charged with any higher duty than would have been chargeable thereon if it had been a lease for a definite term not exceeding thirty-five years.

99. The duty upon an instrument chargeable with duty as a lease or tack for any definite term less than a year of—

Duty in certain cases may be denoted by adhesive stamp.

(1.) Any dwelling house or tenement, or part of a dwelling house or tenement, at a rent not exceeding the rate of ten pounds per annum,

(2.) Any furnished dwelling house or apartments,

Or upon the duplicate or counterpart of any such instrument, may be denoted by an adhesive stamp, which is to be cancelled by the person by whom the instrument is first executed.

A.D. 1870.

Penalty in certain cases.

100. (1.) Every person who executes, or prepares or is employed in preparing, any instrument upon which the duty may, under the provisions of the last preceding section, be denoted by an adhesive stamp, and which is not, at or before the execution thereof, duly stamped, shall forfeit the sum of five pounds.

Proviso.

(2.) Provided that nothing in this section contained shall render any person liable to the said penalty of five pounds in respect of any letters or correspondence.

As to Letters of Allotment, Scrip Certificates, and Scrip.

Penalty for executing, &c. not duly stamped, 20*l.*

101. Every person who executes, grants, issues, or delivers out any document chargeable with duty as a letter of allotment, letter of renunciation, or scrip certificate, or as scrip, before the same is duly stamped, shall forfeit the sum of twenty pounds.

As to Letters or Powers of Attorney, and Voting Papers.

Proxies and voting papers confined to one meeting.

102. (1.) Every letter or power of attorney for the purpose of appointing a proxy to vote at a meeting, and every voting paper, hereby respectively charged with the duty of one penny, is to specify the day upon which the meeting at which it is intended to be used is to be held, and is to be available only at the meeting so specified, or any adjournment thereof.

Duty may be denoted by adhesive stamp.

(2.) The said duty of one penny may be denoted by an adhesive stamp, which is to be cancelled by the person by whom the instrument is executed.

Penalty for executing, &c. not duly stamped, 50*l.*,

(3.) Every person who makes or executes, or votes, or attempts to vote, under or by means of, any such letter or power of attorney, or voting paper, not being duly stamped, shall forfeit the sum of fifty pounds.

and vote void,

(4.) Every vote given or tendered under the authority or by means of any such letter, or power of attorney, or voting paper, not being duly stamped, shall be absolutely null and void.

may not be stamped after execution.

(5.) And no such letter or power of attorney, or voting paper shall on any pretence whatever be stamped after the execution thereof by any person.

Power relating to Government stocks— how to be charged.

103. A letter or power of attorney for the sale, transfer, or acceptance of any of the Government or Parliamentary stocks or funds, duly stamped for that purpose, is not to be charged with any further duty by reason of containing an authority for the receipt of the dividends on the same stocks or funds.

A.D. 1870.

Order to pay dividends not power of attorney.

104. A writing under hand only, containing an order, request, or direction from the owner or proprietor of any stock, to any company, or to any officer of any company, or to any banker, to pay the dividends or interest arising from such stock to any person therein named, is not chargeable with duty as a letter or power of attorney.

As to Mortgages, &c.

Interpretation of term.

105. The term "mortgage" means a security by way of mortgage for the payment of any definite and certain sum of money advanced or lent at the time, or previously due and owing, or forborne to be paid, being payable, or for the repayment of money to be thereafter lent, advanced, or paid, or which may become due upon an account current, together with any sum already advanced or due, or without, as the case may be:

And includes—

Conditional surrender by way of mortgage, further charge, wadset, and heritable bond, disposition, assignation, or tack in security, and eik to a reversion of or affecting any lands, estate, or property, real or personal, heritable or moveable, whatsoever:

Also any deed containing an obligation to infeft any person in an annual rent, or in lands or other heritable subjects in Scotland, under a clause of reversion, but without any personal bond or obligation therein contained for payment of the money or stock intended to be secured:

Also any conveyance of any lands, estate, or property whatsoever in trust to be sold or otherwise converted into money, intended only as a security, and redeemable before the sale or other disposal thereof, either by express stipulation or otherwise, except where such conveyance is made for the benefit of creditors generally, or for the benefit of creditors specified who accept the provision made for payment of their debts in full satisfaction thereof, or who exceed five in number:

Also any defeazance, letter of reversion, back bond, declaration, or other deed or writing for defeating or making redeemable or explaining or qualifying any conveyance, disposition, assignation, or tack of any lands, estate, or property whatsoever, apparently absolute but intended only as a security:

Also any agreement, contract, or bond accompanied with a deposit of title deeds for making a mortgage, wadset, or any such other security or conveyance as aforesaid of any lands, estate, or property comprised in such title deeds, or for pledging or charging the same as a security:

A.D. 1870.

And also any deed whereby a real burden is declared or created on lands or heritable subjects in Scotland.

Security for stock, how to be charged.

106. A security for the transfer or retransfer of any stock is to be charged with the same duty as a similar security for a sum of money equal in amount to the value of such stock; and a transfer, assignment, disposition, or assignation of any such security, and a reconveyance, release, discharge, surrender, re-surrender, warrant to vacate, or renunciation of any such security shall be charged with the same duty as an instrument of the same description relating to a sum of money equal in amount to the value of such stock.

Security for future advances, how to be charged.

107. (1.) A security for the payment or repayment of money to be lent, advanced, or paid, or which may become due upon an account current, either with or without money previously due, is to be charged, where the total amount secured or to be ultimately recoverable is in any way limited, with the same duty as a security for the amount so limited.

(2.) Where such total amount is unlimited, the security is to be available for such an amount only as the ad valorem duty impressed thereon extends to cover.

Proviso.

(3.) Provided that no money to be advanced for the insurance of any property comprised in any such security against damage by fire, or for keeping up any policy of life insurance comprised in such security, or for effecting in lieu thereof any new policy, or for the renewal of any grant or lease of any property comprised in such security upon the dropping of any life whereon such property is held, shall be reckoned as forming part of the amount in respect whereof the security is chargeable with ad valorem duty.

Security for repayment by periodical payments how to be charged.

108. A security for the payment of any rentcharge, annuity, or periodical payments, by way of repayment, or in satisfaction or discharge of any loan, advance, or payment intended to be so repaid, satisfied, or discharged, is to be charged with the same duty as a similar security for the payment of the sum of money so lent, advanced, or paid.

As to transfers and further charges.

109. No transfer of a duly stamped security, and no security by way of further charge for money or stock, added to money or stock previously secured by a duly stamped instrument, is to be charged with any duty by reason of containing any further or additional security for the money or stock transferred or previously secured, or the interest or dividends thereof, or any new covenant, proviso, power, stipulation, or agreement in relation thereto, or any further assurance of the property comprised in the transferred or previous security.

A.D. 1870.

As to copyholds.

110. (1.) Where any copyhold or customary lands or hereditaments are mortgaged alone by means of a conditional surrender or grant, the ad valorem duty is to be charged on the surrender or grant, if made out of court, or the memoradum thereof, and on the copy of court roll of the surrender or grant, if made in court.

(2.) Where any copyhold or customary lands or hereditaments are mortgaged, together with other property, for securing the same money or the same stock, the ad valorem duty is to be charged on the instrument relating to the other property, and the surrender or grant, or the memorandum thereof, or the copy of court roll of the surrender or grant, as the case may be, is to be charged with duty, as if the surrender or grant were not made upon a mortgage, but such last-mentioned duty shall not exceed the said ad valorem duty.

As to mortgage with conveyance of equity of redemption.

111. An instrument chargeable with ad valorem duty as a mortgage is not to be charged with any other duty, by reason of the equity of redemption in the mortgaged property being thereby conveyed or limited in any other manner than to, or in trust for, or according to the direction of, a purchaser.

Exemption from stamp duty in favour of benefit building societies restricted.

112. The exemption from stamp duty conferred by the Act of the sixth and seventh years of King William the Fourth, chapter thirty-two, for the Regulation of Benefit Building Societies, shall not extend to any mortgage to be made after the passing of this Act, except a mortgage by a member of a benefit building society for securing the repayment to the society of money not exceeding five hundred pounds.

Interpretation of term "Foreign security."

113. The term "Foreign security" means and includes every security for money by or on behalf of any foreign or colonial state, government, municipal body, corporation, or company, bearing date or signed after the third day of June one thousand eight hundred and sixty-two, (except an instrument chargeable with duty as a bill of exchange or promissory note),

(1.) Which is made or issued in the United Kingdom:

(2.) Upon which any interest is payable in the United Kingdom:

(3.) Which is assigned, transferred, or in any manner negotiated in the United Kingdom.

Penalty for issuing, &c. any foreign security not dulystamped, 20*l.*

114. Every person who in the United Kingdom makes, issues, assigns, transfers, or negotiates, or pays any interest upon, any foreign security not being duly stamped, shall forfeit the sum of twenty pounds.

A.D. 1870.

Foreign securities may be stamped without penalty.

115. The Commissioners may at any time, without reference to the date thereof, allow any foreign security to be stamped without the payment of any penalty, upon being satisfied, in any manner that they may think proper, that it was not made or issued, and has not been transferred, assigned, or negotiated within the United Kingdom, and that no interest has been paid thereon within the United Kingdom.

As to Notarial Acts.

Duty may be denoted by adhesive stamp.

116. The duty upon a notarial act, and upon the protest by a notary public of a bill of exchange or promissory note, may be denoted by an adhesive stamp, which is to be cancelled by the notary.

As to Policies of Insurance.

Interpretation of terms, &c.

117. (1.) The term "Insurance" includes assurance, and the term "Policy" includes every writing whereby any contract of insurance is made, or agreed to be made, or is evidenced; and except as herein-after mentioned, this Act does not apply to policies of sea insurance.

(2.) A Policy of sea insurance made or executed out of, but being in any manner enforceable within, the United Kingdom is to be charged with duty under the Act of the thirtieth year of Her Majesty's reign, chapter twenty-three, and may be stamped at any time within two months after it has been first received in the United Kingdom, on payment of the duty only.

Penalty for not making out policy,

118. Every person who—

(1.) Receives, or takes credit for, any premium or consideration for any contract of insurance, and does not, within one month after receiving, or taking credit for, such premium or consideration, make out and execute a duly stamped policy of such insurance;

or making, &c. any policy not duly stamped. 20*l.*

(2.) Makes, executes, or delivers out,—or pays or allows in account, or agrees to pay or allow in account any money upon, or in respect of,—any policy which is not duly stamped;

Shall forfeit the sum of twenty pounds.

Duty may be denoted by adhesive stamp.

119. (1.) The duties imposed by this Act upon policies of insurance may be denoted by adhesive stamps, or partly by adhesive, and partly by impressed, stamps.

(2.) When the whole, or any part, of the duty upon a policy of insurance is denoted by an adhesive stamp, such adhesive stamp is to be cancelled by the person by whom the policy is first executed.

Penalty, 20*l.*

(3.) In default of such cancellation, the person making the insurance shall forfeit the sum of twenty pounds.

A.D. 1870.

As to Receipts.

Interpretation of term.

120. The term "Receipt" means and includes any note, memorandum, or writing whatsoever, whereby any money amounting to two pounds or upwards, or any bill of exchange or promissory note for money amounting to two pounds or upwards, is acknowledged or expressed to have been received, or deposited, or paid, or whereby any debt or demand, or any part of a debt or demand, of the amount of two pounds or upwards, is acknowledged to have been settled, satisfied, or discharged, or which signifies or imports any such acknowledgment, and whether the same is or is not signed with the name of any person.

Duty may be denoted by adhesive stamp.

121. The duty upon a receipt may be denoted by an adhesive stamp, which is to be cancelled by the person by whom the receipt is given, before he delivers it out of his hands.

Terms upon which receipts may be stamped after execution.

122. A receipt given without being stamped, may be stamped with an impressed stamp, upon the terms following; that is to say,—

(1.) Within fourteen days after it has been given, on payment of the duty and a penalty of five pounds:

(2.) After fourteen days, but within one month, after it has been given, on payment of the duty and a penalty of ten pounds:

And shall not in any other case be stamped with an impressed stamp.

Penalty for offences.

123. If any person—

(1.) Gives any receipt liable to duty and not duly stamped:

(2.) In any case where a receipt would be liable to duty, refuses to give a receipt duly stamped:

(3.) Upon a payment to the amount of two pounds or upwards, gives a receipt for a sum not amounting to two pounds, or separates or divides the amount paid with intent to evade the duty:

He shall forfeit the sum of ten pounds.

As to Settlements.

As to settlement of policy or security.

124. Where any money which may become due or payable upon any policy of insurance, or upon any security not being a marketable security, is settled or agreed to be settled, the instrument whereby such settlement is made or agreed to be made is to be charged with ad valorem duty in respect of such money.

A.D. 1870.

Proviso, As to policies.

Provided as follows:—

(1.) Where, in the case of a policy of insurance, no provision is made for keeping up the policy, the ad valorem duty is to be charged only on the value of the policy at the date of the instrument:

(2.) If in any such case the instrument contains a statement of such value, and is stamped in accordance with such statement, it is, so far as regards such policy, to be deemed duly stamped, unless or until it is shown that such statement is untrue, and that the instrument is, in fact, insufficiently stamped.

Settlements when not to be charged as securities.

125. (1.) An instrument chargeable with ad valorem duty as a settlement in respect of any money, stock, or security is not to be charged with any further duty by reason of containing provision for the payment or transfer of the same money, stock, or security.

(2.) Where any money, stock, or security is settled or agreed to be settled by a person who has only a reversionary interest therein, and the instrument, whereby such settlement is made or agreed to be made, contains a covenant, by the person entitled in possession to the interest or dividends of such money, stock, or security for the payment, during the continuance of such possession, of any annuity or yearly sum, not exceeding interest at the rate of four pounds per centum per annum upon the amount or value of such money, stock, or security, such instrument shall not be charged with any duty in respect of such covenant.

Where several instruments one only to be charged with ad valorem duty.

126. (1.) Where several instruments are executed for effecting the settlement of the same property, and the ad valorem duty chargeable in respect of the settlement of such property exceeds ten shillings, one only of such instruments is to be charged with the ad valorem duty.

(2.) Where a settlement is made in pursuance of any previous agreement or articles, upon which any ad valorem settlement duty exceeding ten shillings has been paid in respect of the same property, such settlement is not to be charged with any ad valorem settlement duty.

(3.) In each of the aforesaid cases the instruments not chargeable with ad valorem duty are to be charged with the duty of ten shillings.

As to Share Warrants.

Penalty for issuing sharewarrant

127. If a share warrant is issued without being duly stamped, the company issuing the same, and also every person who, at the

time when it is issued, is the managing director or secretary or other principal officer of the company, shall forfeit the sum of fifty pounds. A.D. 1870. not duly stamped, 50*l.*

As to transfers of Shares in Cost Book Mines.

128. (1.) The duty upon a request or authority to the purser or other officer of a mining company conducted on the cost book system, to enter or register the transfer of any share or part of a share of the mine, and the duty upon a notice to such purser or officer of any such transfer, may be denoted by an adhesive stamp, which is to be cancelled by the person by whom the request, authority, or notice is written or executed. Duty may be denoted by adhesive stamp.

(2.) Every person who writes or executes any such request, authority, or notice, not being duly stamped, and every purser or other officer of any such company who in any manner obeys, complies with, or gives effect to, any such request, authority, or notice, not being duly stamped, shall forfeit the sum of twenty pounds. Penalty for signing, &c. 20*l.*

A.D. 1870.

SCHEDULE.

	Duty. £	s.	d.
ADMISSION in England, Scotland, or Ireland of any person—			
As an advocate in any court - - - - -	50	0	0
Exemption.			
Where a person has been duly admitted as an advocate in any court in England, Scotland, or Ireland, his admission as an advocate in any other court in the same country is exempt from duty.			
And see sections 29 and 30.			
ADMISSION in England or Ireland of any person—			
To the degree of barrister-at-law.			
If he has been previously duly admitted to the said degree in Ireland, or in England, as the case may be - -	10	0	0
In any other case - - - - - -	50	0	0
And see sections 29, 30, and 31.			
ADMISSION of any person—			
To be a member of either of the four Inns of Court in England, or a student of the Society of King's Inns in Dublin	25	0	0
Exemptions.			
(1.) Where a person has been duly admitted a member of one of the Inns of Court in England, his admission as a member of any other of the said Inns is exempt from duty.			
(2.) Where a person has been duly admitted a student of the Society of King's Inns in Dublin, his admission as a member of any of the Inns of Court in England is exempt from duty.			
And see sections 29, 30, 31, and 32.			
ADMISSION of any person—			
To be a member of either of the Societies commonly called Inns of Chancery in England - - -	3	0	0
And see sections 29 and 30.			
ADMISSION in England or Ireland of any person—			
As an attorney, solicitor, or proctor in any court - - -	25	0	0
Exemption.			
Where a person has been duly admitted as an attorney, solicitor, or proctor in any court in England or Ireland his admission to act in either of those capacities in any other court in the same country is exempt from duty.			
And see sections 29 and 30.			

A.D. 1870.

	£	s.	d.
ADMISSION in Scotland of any person—			
(1.) As a writer to the signet, or as a solicitor, agent, or attorney in the court of session, justiciary, or commission of teinds:			
If he has previously paid the sum of 60*l.* for duty upon his articles of clerkship - - -	25	0	0
If he has been previously duly admitted as a procurator or solicitor in any inferior court -	30	0	0
In any other case - - - -	85	0	0
(2.) As a procurator or solicitor in any inferior court:			
If he has previously paid the sum of 2*s.* 6*d.* for duty on his articles of clerkship - -	54	17	6
In any other case - - - -	55	0	0
Exemptions.			
(1.) Where a person has been duly admitted as a writer to the signet, or as a solicitor, agent, or attorney in the court of session, justiciary or commission of teinds, his admission to act in either of those capacities in any other of the said courts, or as a procurator or solicitor in any inferior court, is exempt from duty.			
(2.) Where a person has been duly admitted as a procurator or solicitor in any inferior court, his admission as a procurator or solicitor in any other inferior court is exempt from duty.			
And see sections 29 and 30.			
ADMISSION to act as a notary public.			
See Faculty.			
ADMISSION of any person—			
As a Fellow of the College of Physicians in England, Scotland, or Ireland - - - - -	25	0	0
And see sections 29 and 30.			
ADMISSION to the degree of doctor of medicine in either of the universities in Scotland - - - - -	10	0	0
And see sections 29 and 30.			
ADMISSION in England or Ireland of any person—			
As a burgess, or into any corporation or company, in any city, borough, or town corporate.			
In respect of birth, apprenticeship, or marriage, or, in Ireland, in respect of being engaged in any trade, mystery, or handicraft - - - -	1	0	0
Upon any other ground - - - -	3	0	0
Exemption.			
Admission of any person to the freedom of the city of London by redemption.			
And see sections 29 and 30.			

A.D. 1870.

	£	s.	d.
ADMISSION in Scotland of any person—			
As a burgess, or into any corporation or company, in any burgh - - - - - - - -	0	5	0
Exemption.			
Admission of a craftsman or other person into any corporation within any royal burgh, burgh of royalty, or burgh of barony incorporated by the magistrates and council of such burgh, provided such craftsman or other person has been previously duly admitted a freeman or burgess of the burgh.			
And see sections 29 and 30.			
ADMISSION to Ecclesiastical benefices in Scotland. See Appointment, &c. to ecclesiastical benefices.			
ADMISSION, APPOINTMENT, or GRANT—			
To or of any office or employment—			
Where the annual salary, fees, or emoluments appertaining to such office or employment do not exceed 100*l.* -	2	0	0
Exceed 100*l.* and do not exceed 150*l.* - - -	4	0	0
„ 150*l.* „ „ 200*l.* - - -	6	0	0
„ 200*l.* „ „ 250*l.* - - -	8	0	0
„ 250*l.* „ „ 300*l.* - - -	10	0	0
„ 300*l.*			
For every 100*l.*, and also for any fractional part of 100*l.*	5	0	0
Exemptions.			
(1.) Admission proceeding upon a duly stamped appointment or grant.			
(2.) First appointment of any person to the office or employment of out-door officer, boatman, waterman, or watchman in the service of the Customs.			
(3.) Periodical re-admission or re-appointment to any office or employment of any person who has been once duly admitted to such office or employment.			
And see sections 29, 30, 33, 34, and 35.			
AFFIDAVIT, or STATUTORY DECLARATION made under the provisions of 5 & 6 Will. 4. c. 62 - - -	0	2	6
Exemptions.			
(1.) Affidavit made for the immediate purpose of being filed, read, or used in any court, or before any judge, master, or officer of any court.			
(2.) Affidavit or declaration, made upon a requisition of the commissioners of any public board of revenue, or any of the officers acting under them, or required by law, and made before any justice of the peace.			

A.D. 1870.

	£	s.	d.
(3.) Affidavit or declaration which may be required at the Bank of England or the Bank of Ireland to prove the death of any proprietor of any stock transferable there, or to identify the person of any such proprietor, or to remove any other impediment to the transfer of any such stock.			
(4.) Affidavit or declaration relating to the loss, mutilation, or defacement of any bank note or bank post bill.			
(5.) Declaration required to be made pursuant to any Act relating to marriages in order to a marriage without licence.			
AGREEMENT or CONTRACT, accompanied with a deposit. *See* Mortgage, &c., and section 105.			
AGREEMENT for a lease or tack, or for any letting. *See* Lease or Tack, and section 96.			
AGREEMENT or CONTRACT made or entered into pursuant to the Highway Acts for or relating to the making, maintaining, or repairing of highways - - - -	0	0	6
AGREEMENT, or any MEMORANDUM of an AGREEMENT, made in England or Ireland under hand only, or made in Scotland without any clause of registration, and not otherwise specifically charged with any duty, whether the same be only evidence of a contract, or obligatory upon the parties from its being a written instrument - - - -	0	0	6

Exemptions.

(1.) Agreement or memorandum the matter whereof is not of the value of 5*l.*

(2.) Agreement or memorandum for the hire of any labourer, artificer, manufacturer, or menial servant.

(3.) Agreement, letter, or memorandum made for or relating to the sale of any goods, wares, or merchandise.

(4.) Agreement or memorandum made between the master and mariners of any ship or vessel for wages on any voyage coastwise from port to port in the United Kingdom.

And see section 36.

ALLOTMENT. *See* Letter of Allotment.

ANNUITY, conveyance in consideration of.
See Conveyance on Sale, and section 72.
purchase of.
See Conveyance on Sale, and section 75.
creation of, by way of security.
See Mortgage, &c., and section 108.
instruments relating to, upon any other occasion.
See Bond, Covenant, &c.

A.D. 1870.

	£	s.	d.
APPOINTMENT, whether by way of DONATION, PRESENTATION, or NOMINATION, and ADMISSION, COLLATION, or INSTITUTION to or LICENCE TO HOLD—			
Any ecclesiastical benefice, dignity, or promotion, or any perpetual curacy.			5
In England.			
If the net yearly value thereof exceeds—			
50*l.* and does not exceed 100*l.* - -	1	0	0
100*l.* „ „ 150*l.* - -	2	0	0
150*l.* „ „ 200*l.* - -	3	0	0
200*l.* „ „ 250*l.* - -	4	0	0
250*l.* „ „ 300*l.* - -	5	0	0
300*l.* - - - -	7	0	0
And also (if such yearly value exceeds 300*l.*) for every 100*l.* of such yearly value over and above 200*l.* a further duty of	5	0	0
In Scotland - - - - - - -	2	0	0
Exemptions.			
Admission, collation, institution, or licence proceeding upon a duly stamped donation, presentation, or nomination.			
And see section 37.			
APPOINTMENT of a new trustee, and APPOINTMENT in execution of a power of any property, or of any use, share, or interest in any property, by any instrument not being a will -	0	10	0
And see section 78.			
APPOINTMENT of a gamekeeper.			
See DEPUTATION.			
APPOINTMENTS to offices or employments.			
See ADMISSION.			
APPRAISEMENT or VALUATION of any property, or of any interest therein, or of the annual value thereof, or of any dilapidations, or of any repairs wanted, or of the materials and labour used or to be used in any building, or of any artificers work whatsoever.			
Where the amount of the appraisement or valuation does not exceed 5*l.* - - - - - -	0	0	3
Exceeds 5*l.* and does not exceed 10*l.* - - -	0	0	6
„ 10*l.* „ 20*l.* - - -	0	1	0
„ 20*l.* „ 30*l.* - - -	0	1	6
„ 30*l.* „ 40*l.* - - -	0	2	0
„ 40*l.* „ 50*l.* - - -	0	2	6
„ 50*l.* „ 100*l.* - - -	0	5	0
„ 100*l.* „ 200*l.* - - -	0	10	0
„ 200*l.* „ 500*l.* - - -	0	15	0
„ 500*l.* - - - - -	1	0	0
Exemptions.			
(1.) Appraisement or valuation made for, and for the information of, one party only, and not being in any manner obligatory as between parties either by agreement or operation of law.			
(2.) Appraisement or valuation made in pursuance of the order of any Court of Admiralty or Vice-Admiralty, or			

	£	s.	d.
of any Court of Appeal, from any sentence, adjudication or judgment of any Court of Admiralty or Vice-Admiralty.			
(3.) Appraisement or valuation of any property made for the purpose of ascertaining the legacy or succession duty payable in respect thereof.			
And see section 38.			
APPRENTICESHIP, Instrument of.			
Where there is no premium or consideration - -	0	2	6
In any other case—			
For every 5*l.*, and also for any fractional part of 5*l.*, of the amount or value of the premium or consideration	0	5	0
Exemptions.			
(1.) Instrument relating to any poor child apprenticed by, or at the sole charge of, any parish or township, or by or at the sole charge of any public charity, or pursuant to any Act for the regulation of parish apprentices.			
(2.) Instrument of apprenticeship in Ireland, where the value of the premium or consideration does not exceed 10*l.*			
And see sections 39 and 40.			
ARTICLES OF CLERKSHIP whereby any person first becomes bound to serve as a clerk in order to his admission.			
(1.) As an attorney or solicitor in any of Her Majesty's courts at Westminster or in Ireland, or as a proctor in the High Court of Admiralty, or any Ecclesiastical Court in England or Ireland - - - - -	80	0	0
(2.) As an attorney or solicitor in any of the courts of the counties palatine of Lancaster and Durham, or as a writer to the signet, or as a solicitor, agent, or attorney in the court of session, justiciary, or commission of teinds in Scotland - - -	60	0	0
(3.) As a procurator or solicitor in any inferior court in Scotland - - - - - -	0	2	6
And see sections 41, 42, 43, and 44.			
ARTICLES OF CLERKSHIP, whereby any person, having been before bound by duly stamped articles to serve as a clerk in order to his admission in any of the courts aforesaid, and not having completed his service so as to be entitled to such admission, becomes bound afresh for the same purpose -	0	10	0
ASSIGNMENT or ASSIGNATION.			
By way of security, or of any security. *See* Mortgage, &c.			
Upon a sale, or otherwise. *See* Conveyance.			
ASSURANCE or INSURANCE. *See* Policy.			
ATTESTED COPY. *See* Copy.			
ATTORNEY, LETTER or POWER of. *See* Letter of Attorney. WARRANT of. *See* Warrant of Attorney.			

A.D. 1870.

A.D. 1870.

	£	s.	d.
AWARD in England or Ireland, and AWARD or DECREET ARBITRAL in Scotland.			
Where the amount or value of the matter in dispute does not exceed 5*l.* - - - -	0	0	3
Exceeds 5*l.* and does not exceed 10*l.* - -	0	0	6
„ 10*l.* „ 20*l.* - - -	0	1	0
„ 20*l.* „ 30*l.* - -	0	1	6
„ 30*l.* „ 40*l.* - - -	0	2	0
„ 40*l.* „ 50*l.* - -	0	2	6
„ 50*l.* „ 100*l.* - - -	0	5	0
„ 100*l.* „ 200*l.* - -	0	10	0
„ 200*l.* „ 500*l.* - - -	0	15	0
„ 500*l.* „ 750*l.* - -	1	0	0
„ 750*l.* „ 1,000*l.* - - -	1	5	0
And where it exceeds 1,000*l.*, and in any other case not above provided for - - - -	1	15	0
BACK BOND. *See* Mortgage, &c., and section 105.			
BANK NOTE—			
For money not exceeding 1*l.* - - - -	0	0	5
Exceeding 1*l.* and not exceeding 2*l.* - - -	0	0	10
„ 2*l.* „ 5*l.* - - -	0	1	3
„ 5*l.* „ 10*l.* - -	0	1	9
„ 10*l.* „ 20*l.* - - -	0	2	0
„ 20*l.* „ 30*l.* - - -	0	3	0
„ 30*l.* „ 50*l.* - - -	0	5	0
„ 50*l.* „ 100*l.* - - -	0	8	6
And *see* sections 45, 46, and 47.			
BILL OF EXCHANGE—			
Payable on demand - - - - -	0	0	1
BILL OF EXCHANGE of any other kind whatsoever (*except a Bank Note*) and PROMISSORY NOTE of any kind whatsoever (*except a Bank Note*)—drawn, or expressed to be payable, or actually paid, or endorsed, or in any manner negotiated in the United Kingdom:			
Where the amount or value of the money for which the bill or note is drawn or made does not exceed 5*l.* - - - - -	0	0	1
Exceeds 5*l.*, and does not exceed 10*l.* - -	0	0	2
„ 10*l.* „ 25*l.* - -	0	0	3
„ 25*l.* „ 50*l.* - -	0	0	6
„ 50*l.* „ 75*l.* - -	0	0	9
„ 75*l.* „ 100*l.* - -	0	1	0
„ 100*l.* „			
For every 100*l.*, and also for any fractional part of 100*l.*, of such amount or value - - -	0	1	0

Exemptions.

(1.) Bill or note issued by the Governor and Company of the Bank of England or Bank of Ireland.

£ s. d. A.D. 1870.

(2.) Draft or order drawn by any banker in the United Kingdom upon any other banker in the United Kingdom, not payable to bearer or to order, and used solely for the purpose of settling or clearing any account between such bankers.

(3.) Letter written by a banker in the United Kingdom to any other banker in the United Kingdom, directing the payment of any sum of money, the same not being payable to bearer or to order, and such letter not being sent or delivered to the person to whom payment is to be made, or to any person on his behalf.

(4.) Letter of credit granted in the United Kingdom authorizing drafts to be drawn out of the United Kinghom payable in the United Kingdom.

(5.) Draft or order drawn by the Accountant General of the Court of Chancery in England or Ireland.

(6.) Warrant or order for the payment of any annuity granted by the Commissioners for the Reduction of the National Debt, or for the payment of any dividend or interest on any share in the Government or Parliamentary Stocks or Funds.

(7.) Bill drawn by the Lords Commissioners of the Admiralty, or by any person under their authority, under the authority of any Act of Parliament upon and payable by the Accountant General of the Navy.

(8.) Bill drawn (according to a form prescribed by Her Majesty's orders by any person duly authorized to draw the same) upon and payable out of any public account for any pay or allowance of the army or other expenditure connected therewith.

(9.) Coupon or warrant for interest attached to and issued with any security.

And *see* sections 48, 49, 50, 51, 52, 53, 54, and 55.

BILL OF LADING of or for any goods, merchandise, or effects to be exported or carried coastwise - - - - 0 0 6

And *see* section 56.

BILL OF SALE—

Absolute. *See* Conveyance on Sale.

By way of security. *See* Mortgage, &c.

And *see* section 57.

BOND for securing the payment or repayment of money or the transfer or retransfer of Stock.

See Mortgage, &c.

BOND in relation to any annuity upon the original creation and sale thereof.

See Conveyance on Sale, and section 75.

A.D. 1870.

BOND, COVENANT, or INSTRUMENT of any kind whatsoever.

(1.) Being the only or principal or primary security for any annuity (*except upon the original creation thereof by way of sale or security*), or of any sum or sums of money at stated periods, not being interest for any principal sum secured by a duly stamped instrument, nor rent reserved by a lease or tack.

For a definite and certain period, so that the total amount to be ultimately payable can be ascertained. — The same ad valorem duty as a bond or covenant for such total amount.

For the term of life or any other indefinite period.

For every 5*l.*, and also for any fractional part of 5*l.*, of the annuity or sum periodically payable - £ 0 s. 2 d. 6

(2.) Being a collateral or auxiliary or additional or substituted security for any of the above-mentioned purposes where the principal or primary instrument is duly stamped.

Where the total amount to be ultimately payable can be ascertained - - - - - The same ad valorem duty as a bond or covenant, of the same kind for such total amount.

In any other case - - - - - -

For every 5*l.*, and also for any fractional part of 5*l.*, of the annuity or sum periodically payable - - 0 0 6

BOND given pursuant to the directions of any Act of Parliament, or by the directions of the Commissioners of Customs or Inland Revenue, or any of their officers, for or in respect of any of the duties of customs or excise, or for preventing frauds or evasions thereof, or for any other matter or thing relating thereto.

Where the penalty of the bond does not exceed 150*l.* - The same ad valorem duty as a bond for the amount of the penalty.

And in any other case - - - - 0 5 0

Exemption.

Bond given as aforesaid upon, or with relation to, the receiving or obtaining, or for entitling any person to receive or obtain, any drawback of any duty or duties, or part of any duty or duties, of customs or excise, for or in respect of any goods, wares, or merchandise exported or shipped to be exported from the United Kingdom to any parts beyond the seas, or upon or with relation to the obtaining of any debenture or certificate for entitling any person to receive any such drawback as aforesaid.

And *see* section 58.

BOND on obtaining letters of administration in England or Ireland, or a confirmation of testament in Scotland - - 0 5 0

Exemptions.

(1.) Bond given by the widow, child, father, mother, brother or sister, of any common seaman, marine or

soldier, slain or dying in the service of Her Majesty, her heirs, or successors.

(2.) Bond given by any person where the estate to be administered does not exceed 100*l.* in value.

BOND of any kind whatsoever not specifically charged with any duty:

Where the amount limited to be recoverable does not exceed 300*l.* - - - - - - - - The same ad valorem duty as a bond for the amount limited.

	£	s.	d.
In any other case - - - - - - -	0	10	0

BOND, accompanied with a deposit of title deeds, for making a mortgage, wadset, or other security, on any estate or property therein comprised.

See MORTGAGE, &c., and section 105.

BOND, DECLARATION, or other DEED or WRITING, for making redeemable any disposition, assignation, or tack, apparently absolute, but intended only as a security.

See MORTGAGE, &c., and section 105.

CERTIFICATE to be taken out yearly—

(1.) By every person admitted or inrolled in England or Ireland as an attorney, solicitor, proctor, or notary public.

(2.) By every person admitted or inrolled in Scotland as a writer to the signet, solicitor, agent, attorney, procurator, or notary public.

(3.) By every other legally qualified person who carries on business in England or Ireland as a conveyancer, special pleader, or draftsman in equity, and is obliged by law to take out such a certificate.

If such person practises or carries on his business	If he has been admitted or inrolled, or has carried on business, for three years or upwards.	If he has not been so long admitted or inrolled, or has not so long carried on business.
In England, within ten miles from the General Post Office in the City of London -		
In Scotland, within the City or Shire of Edinburgh - - - - - -	9 0 0	4 10 0
In Ireland, in the City of Dublin, or within three miles therefrom - - -		
In England, Scotland, or Ireland, beyond the above-mentioned limits - - - -	6 0 0	3 0 0

And *see* sections 59, 60, 61, 62, 63, and 64.

A.D. 1870.

	£	s.	d.
CERTIFICATE of any goods, wares or merchandise, having been duly entered inwards, which shall be entered outwards for exportation at the port of importation, or be removed from thence to any other port for the more convenient exportation thereof, where such certificate is issued for enabling any person to obtain a debenture or certificate entitling him to receive any drawback of any duty or duties of customs or any part thereof - - - - -	0	4	0
CERTIFICATE of the registration of a design - - And *see* section 65.	5	0	0
CHARTER of resignation, or of confirmation, or of novodamus, or upon apprising, or upon a decreet of adjudication, or sale of any lands, or other heritable subjects in Scotland - -	0	5	0
CHARTER PARTY, or any agreement or contract for the charter of any ship or vessel, or any memorandum, letter or other writing, between the captain, master, or owner of any ship or vessel, and any other person, for or relating to the freight or conveyance of any money, goods or effects on board of such ship or vessel - - - - - - And *see* sections 66, 67, and 68.	0	0	6
CLARE CONSTAT. *See* Precept.			
COLLATION. *See* Appointment, &c. to ecclesiastical benefices.			
COMMISSION granted by Her Majesty, Her heirs or successors, or by any person or persons duly authorized by her or them, to any officer in the army, or in the corps of Royal Marines - - - - - - -	1	10	0
COMMISSION granted by the Lords Commissioners of the Admiralty to any officer in the navy - - -	0	5	0
COMMISSION or DEPUTATION granted by the Commissioners of Inland Revenue - - - - -	1	10	0
COMMISSION OF LUNACY - - - -	0	5	0
COMMISSION to act as a notary public in Scotland. *See* Faculty.			
COMMISSION in the nature of a power of attorney in Scotland. *See* Letter or Power of Attorney.			
CONDITIONAL SURRENDER of any Copyhold or customary estate by way of mortgage. *See* Mortgage, &c., and sections 105 and 110.			
CONGÉ D'ÉLIRE. *See* Grant.			
CONSTAT of Letters Patent. *See* Exemplification.			
CONTRACT. *See* Agreement.			

	£	s.	d.	A.D. 1870.
CONTRACT NOTE—Any note, memorandum, or writing, commonly called a "Contract Note," or by whatever name the same may be designated, for or relating to the sale or purchase of any stock or marketable security of the value of 5*l.* or upwards - - - - - -	0	0	1	
And *see* section 69.				
CONVEYANCE or TRANSFER, whether on sale or otherwise—				
(1.) Of any stock of the Governor and Company of the Bank of England - - - - -	0	7	9	
(2.) Of any stock of the East India Company - -	1	10	0	
(3.) Of any debenture stock or funded debt of any company or corporation.				
For every 100*l.*, and also for any fractional part of 100*l.*, of the nominal amount transferred -	0	2	6	
And *see* section 78.				
CONVEYANCE or TRANSFER on sale,				
Of any property (*except such stock or debenture stock or funded debt as aforesaid*).				
Where the amount or value of the consideration for the sale does not exceed 5*l.* - - -	0	0	6	
Exceeds 5*l.*, and does not exceed 10*l.* - -	0	1	0	
„ 10*l.* „ 15*l.* - -	0	1	6	
„ 15*l.* „ 20*l.* - -	0	2	0	
„ 20*l.* „ 25*l.* - -	0	2	6	
„ 25*l.* „ 50*l.* - -	0	5	0	
„ 50*l.* „ 75*l.* - -	0	7	6	
„ 75*l.* „ 100*l.* - -	0	10	0	
„ 100*l.* „ 125*l.* - -	0	12	6	
„ 125*l.* „ 150*l.* - -	0	15	0	
„ 150*l.* „ 175*l.* - -	0	17	6	
„ 175*l.* „ 200*l.* - -	1	0	0	
„ 200*l.* „ 225*l.* - -	1	2	6	
„ 225*l.* „ 250*l.* - -	1	5	0	
„ 250*l.* „ 275*l.* - -	1	7	6	
„ 275*l.* „ 300*l.* - -	1	10	0	
„ 300*l.*				
For every 50*l.*, and also for any fractional part of 50*l.* of such amount or value - - - -	0	5	0	
And *see* sections 70, 71, 72, 73, 74, 75, 76, and 77.				
CONVEYANCE or TRANSFER by way of security of any property (*except such stock, or debenture stock, or funded debt as aforesaid*), or of any security.				
See Mortgage, &c.				
CONVEYANCE or TRANSFER of any kind not hereinbefore described - - - - -	0	10	0	
And *see* section 78.				

A.D. 1870.

£ s. d.

COPY or EXTRACT (*attested or in any manner authenticated*) of or from—

(1.) An instrument chargeable with any duty.

(2.) An original will, testament, or codicil.

(3.) The probate or probate copy of a will or codicil.

(4.) Any letters of administration or any confirmation of a testament.

(5.) Any public register (*except any register of births, baptism, marriages, deaths, or burials*).

(6.) The books, rolls, or records of any court.

In the case of an instrument chargeable with any duty not amounting to one shilling - - { The same duty as such instrument.

In any other case - - - - - - 0 1 0

Exemptions.

(1.) Copy or extract of or from any law proceedings.

(2.) Copy or extract in Scotland of or from the commission of any person as a delegate or representative to the convention of royal burghs or the general assembly or any presbytery or church court.

And *see* section 79.

COPY or EXTRACT (*certified*) of or from any register of births, baptisms, marriages, deaths, or burials - - 0 0 1

Exemptions.

(1.) Copy or extract furnished by any clergyman, registrar, or other official person pursuant to and for the purposes of any Act of Parliament, or furnished to any general or superintending registrar under any general regulation.

(2.) Copy or extract for which the person giving the same is not entitled to any fee or reward.

And *see* section 80.

COPYHOLD and CUSTOMARY ESTATES—Instruments relating thereto.

Upon a sale thereof. *See* CONVEYANCE ON SALE.

Upon a mortgage thereof. *See* MORTGAGE, &c.

Upon a demise thereof. *See* LEASE OR TACK.

Upon any other occasion.

Surrender or grant made out of court, or the memorandum thereof,

and Copy of court roll of any surrender or grant made in Court - - - - 0 10 0

And *see* sections 81, 82, 83, 84, 85, and 86.

COST BOOK MINES. *See* TRANSFER.

COUNTERPART. *See* DUPLICATE.

COVENANT for securing the payment or repayment of money, or the transfer or retransfer of stock.

See MORTGAGE, &c.

A.D. 1870.

	£	s.	d.
COVENANT in relation to any annuity upon the original creation and sale thereof.			
See Conveyance on Sale, and section 75.			
COVENANT in relation to any annuity (*except upon the original creation and sale thereof*) or to other periodical payments.			
See Bond, Covenant, &c.			
COVENANT. Any separate deed of covenant (*not being an instrument chargeable with ad valorem duty as a conveyance on sale or mortgage*) made on the sale or mortgage of any property, and relating solely to the conveyance or enjoyment of, or the title to, the property sold or mortgaged, or to the production of the muniments of title relating thereto, or to all or any of the matters aforesaid.			
Where the ad valorem duty in respect of the consideration or mortgage money does not exceed 10*s.* - -	A duty equal to the amount of such ad valorem duty.		
In any other case - - - -	0	10	0
CURACY (*Perpetual*) licence to hold. Nomination to. *See* Appointment, &c. to ecclesiastical benefices.			
CUSTOMARY ESTATES. *See* Copyhold.			
DEBENTURE for securing the payment or repayment of money or the transfer or retransfer of stock.			
See Mortgage, &c.			
DEBENTURE or CERTIFICATE for entitling any person to receive any drawback of any duty or duties, or part of any duty or duties, of customs or excise, or any bounty payable out of the revenue of customs or excise, for or in respect of any goods, wares, or merchandise, exported or shipped to be exported from any part of the United Kingdom to any part beyond the sea.			
Where the drawback or bounty to be received does not exceed 10*l.* - - - - -	0	1	0
Exceeds 10*l.* and does not exceed 50*l.* - - -	0	2	6
Exceeds 50*l.* - - - - -	0	5	0
DECLARATION of any use or trust of or concerning any property by any writing, not being a deed or will, or an instrument chargeable with ad valorem duty as a settlement -	0	10	0
DECLARATION (*Statutory*). *See* Affidavit.			
DECREET ARBITRAL. *See* Award.			
DEED whereby any real burden is declared or created on lands or heritable subjects in Scotland.			
See Mortgage, &c., and section 105.			

A.D. 1870.

	£	s.	d.
DEED containing an obligation to infeft any person in heritable subjects in Scotland, under a clause of reversion, as a security for money. *See* MORTGAGE, &c., and section 105.			
DEED containing an obligation to infeft or seize in an annuity to be uplifted out of heritable subjects in Scotland. *See* BOND, COVENANT, &c.			5
DEED of any kind whatsoever, not described in this schedule -	0	10	0
DEFEAZANCE. Deed or other instrument of defeazance of any conveyance, disposition, assignation, or tack, apparently absolute, but intended only as a security for money or stock. *See* MORTGAGE, &c. and section 105.			10
DELIVERY ORDER - - - - - And *see* sections 87, 89, 90, and 91.	0	0	1
DEPOSIT of title deeds. *See* MORTGAGE, &c., and section 105.			15
DEPUTATION by the Commissioners of Inland Revenue. *See* COMMISSION.			
DEPUTATION or APPOINTMENT of a gamekeeper -	0	10	0
DISPENSATION. *See* FACULTY.			
DISPOSITION of heritable property in Scotland to singular successors or purchasers. *See* CONVEYANCE ON SALE.			20
DISPOSITION of heritable property in Scotland to a purchaser, containing a clause declaring all or any part of the purchase money a real burden upon, or affecting, the heritable property thereby disponed or any part thereof. *See* CONVEYANCE ON SALE, MORTGAGE, &c., and section 105.			25
DISPOSITION in Scotland containing constitution of feu or ground annual right. *See* CONVEYANCE ON SALE, and section 72.			30
DISPOSITION in security in Scotland. *See* MORTGAGE, &c.			
DISPOSITION of any wadset, heritable bond, &c. *See* MORTGAGE, &c.			
DISPOSITION in Scotland of any property or of any right or interest therein not described in this schedule - -	0	10	0 35
DOCK WARRANT. *See* WARRANT FOR GOODS.			
DOCKET made on passing any instrument under the Great Seal of the United Kingdom - - - -	0	2	0
DONATION of any ecclesiastical benefice, dignity, or promotion. *See* APPOINTMENT, &c. to ecclesiastical benefices.			40
DRAFT for money. *See* BILL OF EXCHANGE, and section 48.			
DUPLICATE or COUNTERPART of any instrument chargeable with any duty. Where such duty does not amount to 5*s*. - - { The same duty as the original instrument.			45
In any other case - - - - - And *see* section 93.	0	5	0

	£	s.	d.
A.D. 1870.			
ECCLESIASTICAL BENEFICE. *See* Appointment, &c. to ecclesiastical benefices.			
EIK to a reversion. *See* Mortgage, &c., and section 105.			
EXCHANGE or EXCAMBION—Instruments effecting.			
In the case specified in section 94 *see* that section.			
In any other case - - - - - -	0	10	0
EXEMPLIFICATION or CONSTAT, under the Great Seal of the United Kingdom of Great Britain and Ireland of any letters patent or grant made or to be made by Her Majesty, her heirs or successors, or by any of her royal predecessors of any honour, dignity, promotion, franchise, liberty or privilege, or of any lands, office, or other thing whatsoever -	5	0	0
EXEMPLIFICATION under the seal of any court in England or Ireland, of any record or proceeding therein - -	3	0	0
EXTRACT. *See* Copy or Extract.			
FACTORY, in the nature of a letter or power of attorney in Scotland.			
See Letter or Power of Attorney.			
FACULTY, LICENCE, COMMISSION, or DISPENSATION for admitting or authorizing any person to act as a notary public:			
In England - - - - - - - -	30	0	0
In Scotland or Ireland - - - - -	20	0	0
FACULTY or DISPENSATION of any other kind:			
In England - - - - - - - -	30	0	0
In Ireland - - - - - - - -	25	0	0
FEU CONTRACT in Scotland. *See* Conveyance on Sale, and section 72.			
FOREIGN SECURITY. *See* Mortgage, &c., and sections 113, 114, and 115.			
FURTHER CHARGE or FURTHER SECURITY. *See* Mortgage, &c., and section 109.			
GRANT or LETTERS PATENT under the Great Seal of the United Kingdom of Great Britain and Ireland, or of the Great Seal of Ireland, or the Seal of the Duchy or County Palatine of Lancaster, or under the Seal kept and used in Scotland in place of the Great Seal formerly used there:			
(1.) Of the honour or dignity of a duke - - -	350	0	0
„ „ of a marquis - - -	300	0	0
„ „ of an earl - - -	250	0	0
„ „ of a viscount - -	200	0	0
„ „ of a baron - - -	150	0	0
„ „ of a baronet - -	100	0	0

A.D. 1870.

	£	s.	d.
(2.) Of a congé d'élire to any dean and chapter for the election of an archbishop or bishop - - -			
(3.) Of the Royal Assent to, or signification of, the election made by any dean and chapter, or of the nomination and presentation by Her Majesty, her heirs, or successors, in default of such election of any person to be an archbishop or bishop - -	30	0	0
(4.) Of or for the restitution of the temporalities to any archbishop or bishop - - - - -			
(5.) Of any other honour, dignity, or promotion whatsoever			
(6.) Of any franchise, liberty, or privilege to any person or body politic or corporate - - - - -			

Exemptions.

(1.) Commissions of rebellion in process.

(2.) Letters Patent or briefs for collecting charitable benevolences.

(3.) Letters Patent for confirming any dispensation hereinbefore charged with duty.

(4.) Letters Patent appointing sheriffs in England or Ireland, and the writs of assistance accompanying such Letters Patent.

And *see* section 95.

GRANT or WARRANT OF PRECEDENCE to take rank among nobility, under the sign manual of Her Majesty, her heirs, or successors - - - - - - - 100 0 0

GRANT or LICENCE under the sign manual to take and use a surname and arms, or a surname only.

In compliance with the injunctions of any will or settlement - - - - - - - - 50 0 0

Upon any voluntary application - - - - 10 0 0

GRANT of arms or armorial ensigns only, under the sign manual, or by any of the Kings of Arms of England, Scotland, or Ireland - - - - - - - 10 0 0

GRANT of copyhold or customary estates. *See* CONVEYANCE—COPYHOLD.

GRANT of the custody of the person or estate of any lunatic - 2 0 0

HERITABLE BOND. *See* MORTGAGE, &c., and section 105.

INSTITUTION. *See* APPOINTMENT, &c. to ecclesiastical benefices.

INVENTORY. *See* SCHEDULE.

LEASE or TACK—	£	s.	d.
(1.) For any definite term less than a year:			
(*a*) Of any dwelling-house or tenement, or part of a dwelling-house or tenement, at a rent not exceeding the rate of 10*l.* per annum	0	0	1
(*b*) Of any furnished dwelling-house or apartments where the rent for such term exceeds 25*l.*	0	2	6
(*c*) Of any lands, tenements, or heritable subjects except or otherwise than as aforesaid — The same duty as a lease for a year at the rent reserved for the definite term.			
(2.) For any other definite term or for any indefinite term:			
Of any lands, tenements, or heritable subjects—			
Where the consideration, or any part of the consideration, moving either to the lessor or to any other person, consists of any money, stock, or security:			
In respect of such consideration — The same duty as a conveyance on a sale for the same consideration.			
Where the consideration or any part of the consideration is any rent:			
In respect of such consideration:			
If the rent, whether reserved as a yearly rent or otherwise, is at a rate or average rate:			

	If the term is definite, and does not exceed 35 years, or is indefinite.			If the term being definite exceeds 35 years, but does not exceed 100 years.			If the term being definite exceeds 100 years.		
	£	s.	d.	£	s.	d.	£	s.	d.
Not exceeding 5*l.* per annum	0	0	6	0	3	0	0	6	0
Exceeding—									
5*l.* and not exceeding 10*l.*	0	1	0	0	6	0	0	12	0
10*l.* „ „ 15*l.*	0	1	6	0	9	0	0	18	0
15*l.* „ „ 20*l.*	0	2	0	0	12	0	1	4	0
20*l.* „ „ 25*l.*	0	2	6	0	15	0	1	10	0
25*l.* „ „ 50*l.*	0	5	0	1	10	0	3	0	0
50*l.* „ „ 75*l.*	0	7	6	2	5	0	4	10	0
75*l.* „ „ 100*l.*	0	10	0	3	0	0	6	0	0
100*l.* For every full sum of 50*l.*, and also for any fractional part of 50*l.*, thereof	0	5	0	1	10	0	3	0	0

(3.) Of any other kind whatsoever not herein-before described 0 10 0

And *see* sections 96, 97, 98, 99, and 100.

A.D. 1870.

	£	s.	d.
LETTER OF ALLOTMENT or LETTER OF RENUNCIATION, or any other document having the effect of a letter of allotment.			
(1.) Of any share of any company or proposed company.			5
(2.) In respect of any loan raised, or proposed to be raised, by any company or proposed company, or by any municipal body or corporation.			
(3.) Issued or delivered in the United Kingdom, of any share of any foreign or colonial company or proposed company, or in respect of any loan raised or proposed to be raised by or on behalf of any foreign or colonial state, government, municipal body, corporation, or company.	0	0	1
And SCRIP CERTIFICATE, SCRIP, or other document.			
(1.) Entitling any person to become the proprietor of any share of any company or proposed company.			
(2.) Issued or delivered in the United Kingdom, and entitling any person to become the proprietor of any share of any foreign or colonial company or proposed company.			
(3.) Denoting, or intended to denote, the right of any person as a subscriber in respect of any loan raised or proposed to be raised by any company or proposed company, or by any municipal body or corporation.	0	0	1
(4.) Issued or delivered in the United Kingdom, and denoting, or intended to denote, the right of any person as a subscriber in respect of any loan raised or proposed to be raised by or on behalf of any foreign or colonial state, government, municipal body, corporation, or company.			
And *see* section 101.			
LETTER OR POWER OF ATTORNEY, or COMMISSION, FACTORY, MANDATE, or other instrument in the nature thereof.			
(1.) For the sole purpose of appointing or authorizing any one person to vote as a proxy at any one meeting at which votes may be given by proxy - -	0	0	1
(2.) By any petty officer, seaman, marine or soldier serving as a marine, or by the executors or administrators			

A.D. 1870.

	£	s.	d.
of any such person for receiving prize money or wages - - - - -	0	1	0
(3.) For the receipt of the dividends or interest of any stock :			
Where made for the receipt of one payment only	0	1	0
In any other case - - -	0	5	0
(4.) For the receipt of any sum of money, or any bill of exchange or promissory note for any sum of money, not exceeding 20*l.*, or any periodical payments not exceeding the annual sum of 10*l.* (*not being herein-before charged*) - - - -	0	5	0
(5.) For the sale, transfer, or acceptance of any of the government or parliamentary stocks or funds :			
Where the value of such stocks or funds does not exceed 20*l.* - - - -	0	5	0
In any other case - - - -	0	10	0
(6.) Of any kind whatsoever not herein-before described -	0	10	0

Exemptions.

(1.) Letter or power of attorney for the receipt of dividends of any definite and certain share of the government or parliamentary stocks or funds producing a yearly dividend of less than 3*l.*

Letter or power of attorney or proxy filed in the Court of Probate in England or Ireland, or in any Ecclesiastical Court.

(3.) Letter or power of attorney for voting on any election of directors of the East India Company.

And *see* sections 102, 103, and 104.

LETTERS OF MARQUE AND REPRISAL - -	5	0	0
LETTERS PATENT. *See* Grant.			
LETTER OF REVERSION in Scotland. *See* Mortgage, &c., and section 105.			
LICENCE for Marriage.			
Special—			
In England or Ireland - - -	5	0	0
Not special—			
In England - - - - - -	0	10	0

A.D. 1870.

	£	s.	d.
LICENCE under the seal of any archbishop, bishop, chancellor, or other ordinary, or by any ecclesiastical court in England or Ireland, or by any presbytery or other ecclesiastical power in Scotland.			
(1.) To hold the office of lecturer, reader, chaplain, church clerk, chapel clerk, parish clerk, or sexton - -			
(2.) For licensing a building for the performance of divine service within an ecclesiastical district formed under the provisions of The New Parishes Act - - - - -			
(3.) For licensing any chapel for the solemnization of marriages therein, pursuant to the provisions of the Act 6 & 7 Will. 4. c. 85 - - -	0	10	0
(4.) For licensing or authorizing any matter relating to a consecrated building or ground, or anything to be constructed, set up, taken down, or altered therein, or to be removed therefrom - - -			
(5.) For any other purpose (*except a licence to hold a perpetual curacy*) - - - - -	2	0	0

Exemptions.

(1.) Licence granted to any spiritual person to perform divine service in any building approved by the archbishop or bishop in lieu of any church or chapel, whilst the same is under repair, or is rebuilding, or in any building so approved for the convenience of the inhabitants of a parish resident at a distance from the church or consecrated chapel.

(2.) Licence to a stipendiary curate, wherein the annual amount of the stipend is specified.

(3.) Licence for the purpose of authorizing or enabling any person to preach or exercise any other spiritual function, not being a licence to hold the office of lecturer, reader, or chaplain, and there being no salary or emolument for or attached to the exercise of the function for which such licence is granted.

LICENCE to act as a notary public. *See* Faculty.

LICENCE to use surname or arms. *See* Grant.

MARRIAGE CONTRACT. *See* Settlement.

MARRIAGE LICENCE. *See* Licence.

A.D. 1870.

	£	s.	d.
MEMORIAL to be registered pursuant to any Act of Parliament, made or to be made, for the public registering of deeds and conveyances in England or Ireland:			
Where the instrument registered is chargeable with any duty not amounting to 2*s.* 6*d.* - - - - -	The same duty as the registered instrument.		
In any other case - - - -	0	2	6
MORTGAGE, BOND, DEBENTURE, COVENANT, WARRANT OF ATTORNEY to confess and enter up judgment, and FOREIGN SECURITY of any kind.			
(1.) Being the only or principal or primary security for—			
The payment or repayment of money not exceeding 25*l.* - - - -	0	0	8
Exceeding 25*l.*, and not exceeding 50*l.* -	0	1	3
„ 50*l.* „ 100*l.* - -	0	2	6
„ 100*l.* „ 150*l.* - -	0	3	9
„ 150*l.* „ 200*l.* - -	0	5	0
„ 200*l.* „ 250*l.* - -	0	6	3
„ 250*l.* „ 300*l.* - -	0	7	6
„ 300*l.*			
For every 100*l.*, and also for any fractional part of 100*l.*, of such amount - - -	0	2	6
(2.) Being a collateral, or auxiliary, or additional, or substituted security, or by way of further assurance for the above-mentioned purpose where the principal or primary security is duly stamped:			
For every 100*l.*, and also for any fractional part of 100*l.*, of the amount secured - -	0	0	6
(3.) TRANSFER, ASSIGNMENT, DISPOSITION or ASSIGNATION of any mortgage, bond, debenture, covenant or foreign security, or of any money or stock secured by any such instrument, or by any warrant of attorney to enter up judgment, or by any judgment:			
For every 100*l.*, and also for any fractional part of 100*l.*, of the amount transferred, assigned, or disponed - - - - -	0	0	6
And also where any further money is added to the money already secured - - -	The same duty as a principal security for such further money.		

A.D. 1870.

	£	s.	d.
(4.) Reconveyance, Release, Discharge, Surrender, Resurrender, Warrant to Vacate, or Renunciation of, any such security as aforesaid, or of the benefit thereof, or of the money thereby secured:			
For every 100*l.*, and also for any fractional part of 100*l.*, of the total amount or value of the money at any time secured - - -	0	0	6
And *see* sections 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, and 115.			
MUTUAL DISPOSITION or Conveyance in Scotland. *See* Exchange or Excambion.			
NOTARIAL ACT of any kind whatsoever (*except a protest of a bill of exchange or promissory note, or any notarial instrument to be expeded and recorded in any register of sasines*) - - - - - -	0	1	0
And *see* Protest, Seisin, and section 116.			
ORDER for the payment of money. *See* Bill of Exchange and section 48.			
PARTITION or DIVISION—Instruments effecting.			
In the case specified in section 94, *see* that section.			
In any other case - - - - -	0	10	0
PASSPORT - - - - - - -	0	0	6
PERPETUAL CURACY. *See* Appointment, &c. to Ecclesiastical Benefices.			
POLICY OF INSURANCE—			
(1.) Upon any life or lives, or upon any event or contingency relating to or depending upon any life or lives (*except for the payment of money upon the death of any person only from accident or violence, or otherwise than from a natural cause*):			
Where the sum insured does not exceed 10*l.* -	0	0	1
Exceeds 10*l.*, but does not exceed 25*l.* - -	0	0	3
Exceeds 25*l.*, but does not exceed 500*l.*:			
For every full sum of 50*l.*, and also for any fractional part of 50*l.*, of the amount insured -	0	0	6
Exceeds 500*l.*, but does not exceed 1,000*l.*:			
For every full sum of 100*l.*, and also for any fractional part of 100*l.* of the amount insured -	0	1	0
Exceeds 1,000*l.*:			
For every full sum of 1,000*l.*, and also for any fractional part of 1,000*l.*, of the amount insured	0	10	0
(2.) For any payment agreed to be made upon the death of any person, only from accident or violence, or otherwise than from a natural cause, or as compensation for personal injury, or by way of indemnity against loss or damage of or to any property - -	0	0	1
And *see* sections 117, 118, and 119.			

A.D. 1870.

	£	s.	d.
POWER OF ATTORNEY. *See* Letter of Attorney.			
PRECEPT OF CLARE CONSTAT to give seisin of lands or other heritable subjects in Scotland - - - -	0	5	0
PRESENTATION to any ecclesiastical benefice, dignity, or promotion. *See* Appointment, &c. to Ecclesiastical Benefices.			
PROCURATION, deed, or other instrument of - -	0	10	0
PROMISSORY NOTE. *See* Bank Note, Bill of Exchange, and section 49.			
PROTEST of any bill of exchange or promissory note:			
Where the duty on the bill or note does not exceed 1*s.* -	The same duty as the bill or note.		
In any other case - - - - - -	0	1	0
And *see* section 116.			
PROXY. *See* Letter or Power of Attorney.			
RECEIPT given for, or upon the payment of, money amounting to 2*l.* or upwards - - - - - -	0	0	1

Exemptions.

(1.) Receipt given for money deposited in any bank, or with any banker, to be accounted for and expressed to be received of the person to whom the same is to be accounted for,

(2.) Acknowledgment by any banker of the receipt of any bill of exchange or promissory note for the purpose of being presented for acceptance or payment.

(3.) Receipt given for or upon the payment of any parliamentary taxes or duties, or of money to or for the use of Her Majesty.

(4.) Receipt given by the Accountant General of the Navy for any money received by him for the service of the navy.

(5.) Receipt given by any agent for money imprested to him on account of the pay of the army.

(6.) Receipt given by any officer, seaman, marine or soldier, or his representatives, for or on account of any wages, pay or pension, due from the Admiralty or Army pay office.

(7.) Receipt given for the consideration money for the purchase of any share in any of the Government or parliamentary stocks or funds, or in stock of the East India Company, or in the stocks and funds of

A.D. 1870.

	£	s.	d.
the Secretary of State in Council of India, or of the Governor and Company of the Bank of England, or of the Bank of Ireland, or for any dividend paid on any share of the said stocks or funds respectively.			
(8.) Receipt given for any principal money or interest due on an exchequer bill.			
(9.) Receipt written upon a bill of exchange or promissory note duly stamped.			
(10.) Receipt given upon any bill or note of the Governor and Company of the Bank of England or the Bank of Ireland.			
(11.) Receipt indorsed or otherwise written upon or contained in any instrument liable to stamp duty, and duly stamped, acknowledging the receipt of the consideration money therein expressed, or the receipt of any principal money, interest, or annuity thereby secured or therein mentioned.			
(12.) Receipt given for drawback or bounty upon the exportation of any goods or merchandise from the United Kingdom.			
(13.) Receipt given for the return of any duties of customs upon certificates of over entry.			
(14.) Receipt endorsed upon any bill drawn by the Lords Commissioners of the Admiralty, or by any person under their authority, or under the authority of any Act of Parliament upon and payable by the Accountant General of the Navy.			
And *see* sections 120, 121, 122, and 123.			
RECONVEYANCE, RELEASE, or RENUNCIATION of any security. *See* Mortgage, &c.			
RELEASE or RENUNCIATION of any property, or of any right or interest in any property—			
Upon a sale. *See* Conveyance on Sale.			
By way of security. *See* Mortgage, &c.			
In any other case - - - - - -	0	10	0
RENUNCIATION. *See* Reconveyance and Release.			
RESIGNATION. Principal or original instrument of resignation, or service of cognition of heirs, or charter or seisin of any houses, lands, or other heritable subjects in Scotland, holding burgage, or of burgage tenure - - -	0	5	0
And Instrument of resignation of any lands or other heritable subjects in Scotland not of burgage tenure - - -	0	5	0
REVOCATION of any use or trust of any property by deed, or by any writing, not being a will - - -	0	10	0

£ s. d. A.D. 1870.

SCHEDULE, INVENTORY, or document of any kind whatsoever, referred to in or by, and intended to be used or given in evidence as part of, or as material to, any other instrument charged with any duty, but which is separate and distinct from, and not endorsed on or annexed to, such other instrument:

Where such other instrument is chargeable with any duty not exceeding 10*s.* - - - - - - The same duty as such other instrument.

In any other case - - - - - 0 10 0

Exemptions.

(1.) Printed proposals published by any corporation or company respecting insurances, and referred to in or by any policy of insurance issued by such corporation or company.

(2.) Any public map, plan, survey, apportionment, allotment, award, and other parochial or public document and writing, made under or in pursuance of any Act of Parliament, and deposited or kept for reference in any registry, or in any public office, or with the public books, papers, or writings of any parish.

SCRIP CERTIFICATE or SCRIP. *See* Letter of Allotment.

SEISIN. Instrument of seisin given upon any charter, precept of clare constat, or precept from chancery, or upon any wadset, heritable bond, disposition, apprizing, adjudication or otherwise of any lands or heritable subjects in Scotland, not of burgage tenure - - - - - 0 5 0

And any NOTARIAL INSTRUMENT to be expeded and recorded in any register of sasines - - - - 0 5 0

SETTLEMENT. Any instrument, whether voluntary or upon any good or valuable consideration, other than a bonâ fide pecuniary consideration, whereby any definite and certain principal sum of money (whether charged or chargeable on lands or other hereditaments or heritable subjects, or not, or to be laid out in the purchase of lands or other hereditaments or heritable subjects or not) or any definite and certain amount of stock, or any security is settled or agreed to be settled in any manner whatsoever.

For every 100*l.*, and also for any fractional part of 100*l.*, of the amount or value of the property settled or agreed to be settled - - - - - - 0 5 0

Exemption.

Instrument of appointment relating to any property in favour of persons specially named or described as the

A.D. 1870.

	£	s.	d.
objects of a power of appointment, created by a previous settlement stamped with ad valorem duty in respect of the same property, or by will, where probate duty has been paid in respect of the same property as personal estate of the testator.			
And *see* sections 124, 125, and 126.			
SHARE WARRANT issued under the provisions of "The Companies Act, 1867."			
See section 33 of that Act, CONVEYANCE ON SALE, and section 127 of this Act.			
SURRENDER—			
Of copyholds. *See* COPYHOLD.			
Of any other kind whatsoever not chargeable with duty as a conveyance on sale or mortgage - - - -	0	10	0
TACK of Lands, &c. in Scotland. *See* LEASE or TACK.			
TACK IN SECURITY. *See* MORTGAGE, &c.			
TRANSFER. *See* CONVEYANCE or TRANSFER.			
TRANSFER. Any request or authority to the purser or other officer of any mining company, conducted on the cost book system, to enter or register any transfer of any share, or part of a share, in any mine, or any notice to such purser or officer of any such transfer - - - -	0	0	6
And *see* section 128.			
VALUATION. *See* APPRAISEMENT.			
VOTING PAPER. Any instrument for the purpose of voting by any person entitled to vote at any meeting - -	0	0	1
And *see* section 102.			
WADSET. *See* MORTGAGE, &c.			
WARRANT OF ATTORNEY to confess and enter up a judgment given as a security for the payment or repayment of money or for the transfer or retransfer of stock. *See* MORTGAGE, &c.			
WARRANT OF ATTORNEY of any other kind - -	0	10	0
WARRANT FOR GOODS - - - -	0	0	3
Exemptions.			
(1.) Any document or writing given by any inland carrier acknowledging the receipt of goods conveyed by such carrier.			
(2.) A weight note issued together with a duly stamped warrant, and relating solely to the same goods, wares, or merchandise.			
And *see* sections 88, 89, and 92.			

A.D. 1870.

	£	s.	d.
WARRANT under the sign manual of Her Majesty, her heirs or successors - - - - -	0	10	0
WRIT—			
(1.) Of Acknowledgment under "The Registration of Leases (*Scotland*) Act."			
(2.) Of Acknowledgment by any person infeft of lands in Scotland in favour of the heir or disponee of a creditor fully vested in right of an heritable security constituted by infeftment.	0	5	0
(3.) Of Resignation, Confirmation, Clare Constat, or Investiture under "The Titles to Land Consolidation (*Scotland*) Act, 1868" - - -			

GENERAL EXEMPTIONS FROM ALL STAMP DUTIES.

(1.) Transfers of shares in the Government or parliamentary stocks or funds.

(2.) Instruments for the sale, transfer, or other disposition either absolutely or by way of mortgage, or otherwise, of any ship or vessel, or any part, interest, share, or property of or in any ship or vessel.

(3.) Instruments of apprenticeship, bonds, contracts, and agreements, entered into in the United Kingdom for or relating to the service in any of Her Majesty's colonies or possessions abroad of any person as an artificer, clerk, domestic servant, handicraftsman, mechanic, gardener, servant in husbandry, or labourer.

(4.) Testaments, testamentary instruments, and dispositions mortis causâ in Scotland.

(5.) Bonds given to sheriffs or other persons upon the replevy of any goods or chattels, and assignments of such bonds.

(6.) Commissions granted to officers of militia, yeomanry, or volunteers.

(7.) Instruments made by, to, or with the Commissioners, or the First Commissioner, of Her Majesty's Works and Public Buildings, for any of the purposes of the Act 15 and 16 Vict. c. 28.

Stamp Duties.

A

BILL

[AS AMENDED IN COMMITTEE (ON RE-COMMITMENT)]

For granting certain Stamp Duties in l
Duties of the same kind now payable
various Acts, and consolidating and a
ing Provisions relating thereto.

(*Prepared and brought in by Mr. Dodson, Mr. Chancellor of the Exchequ and Mr. Stansfeld.*)

Ordered, by The House of Commons, *to be Pri*
2 *August* 1870.

[Bill 256.]

Under 11 *oz.*

A

B I L L

FOR

Consolidating and amending the law relating to the management of Stamp Duties. A.D. 1870.

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows; that is to say,

Short title and commencement of Act.

1. This Act may be cited as "The Stamp Duties Management Act, 1870," and shall come into operation on the first day of January 1871.

Interpretation of terms.

2. In the construction and for the purposes of this Act the following words and terms have the meanings hereby assigned to them, unless it is otherwise provided, or there be something in the context repugnant thereto:

(1.) "The Commissioners" means the Commissioners of Inland Revenue:

(2.) "The chief office" means the chief office of Inland Revenue:

(3.) "Head offices" means the head offices of Inland Revenue in Edinburgh and Dublin:

(4.) "Duty," "Duties," mean the stamp duty and stamp duties from time to time chargeable by law:

(5.) "Material" means and includes every sort of material upon which words or figures can be expressed:

(6.) "Write," "written," and "writing," include every mode in which words or figures can be expressed upon material:

(7.) "Instrument" means and includes every written document:

(8.) "Die" means and includes any plate, type, tool, or implement whatever used under the direction of the commissioners for expressing or denoting any duty, or the fact that any duty or penalty has been paid, or that an instrument is duly stamped, or is not chargeable with any duty, and also any part of any such plate, type, tool, or implement:

A.D. 1870.

(9.) "Forge," "Forged," mean and include counterfeit, counterfeited:

(10.) "Stamp," "Stamps," mean as well stamps impressed by means of a die as adhesive stamps:

(11.) "Stamped" is applicable as well to instruments and material impressed with stamps by means of a die, as to instruments and material having adhesive stamps affixed thereto:

(12.) "Executed," "Execution," with reference to instruments not under seal, mean signed, signature:

(13.) "Person" includes corporation, company, and society.

Duties to be managed by the commissioners.

3. The duties shall be under the care and management of the commissioners, who shall have all necessary powers and authorities for carrying this Act into execution, and shall observe and obey in relation thereto the directions of the commissioners of Her Majesty's Treasury.

Former references to stamp duties to apply to this Act.

4. Where by any Act heretofore passed reference is made to the enactments relating to stamp duties in force at the time of the passing of such Act, such reference shall after the passing of this Act be read and construed as a reference to this Act, instead of the said enactments.

As to licences to deal in stamps.
3 & 4 W. 4. c. 97. s. 1.

5. The commissioners may, at their discretion, grant a licence to any person to deal in stamps at any place or places in the United Kingdom to be named in such licence, and every person to whom any such licence is granted shall enter into a bond (which shall be exempt from stamp duty) to Her Majesty, her heirs or successors, in a penal sum of one hundred pounds, with a condition that such licensed person does not sell or offer for sale or exchange, or keep or have in his possession for the purpose of sale or exchange, any stamps other than such as he has purchased or procured at the chief office or at one of the head offices, or from some person duly appointed to sell and distribute stamps, or duly licensed to deal in stamps: Provided that one licence and one bond only shall be required for any number of persons in copartnership, and any such licence may at any time be revoked by the commissioners.

As to the contents and effect of a licence.
3 & 4 W. 4. c. 97. s. 2.

6. Every licence to be granted as aforesaid is to specify the proper Christian name and surname and place of abode of the person to whom the same is granted, and is to contain a true description of every house or shop in or at which he is by such licence authorized to deal in stamps; and such person shall not be thereby authorized or entitled to deal in stamps in or at any house, shop, or place not specified and described in his licence.

A.D. 1870.

7. (1.) Every person who—

(*a.*) Not being duly appointed to sell and distribute stamps, or duly licensed to deal in stamps, deals in any manner in stamps in any part of the United Kingdom : Penalty for unauthorized dealing in stamps,

(*b.*) Being duly licensed to deal in stamps, deals in any manner in stamps at any house, shop, or place not specified and described in his licence, 3 & 4 W. 4. c. 97. ss. 3, 4.

Shall for every such offence forfeit the sum of *twenty* pounds : 20*l*..

(2.) If in any proceeding for recovery of the said penalty of twenty pounds it appears that any stamp which has been sold or exchanged, or offered for sale or exchange, is forged, although the same may not have been so alleged in the information or pleading, the said penalty of *twenty* pounds shall be doubled, and judgment shall be given against the offender for the sum of forty pounds, and the special matter shall be stated in the judgment as the cause of such increase of penalty : and in the case of a forged stamp, 40*l*.

(3.) If on any such proceeding any issue is tried by a jury in which the selling or exchanging, or offering for sale or exchange, of any stamp, is in question, the jury shall be required to say whether such stamp is forged or not :

(4.) Provided that nothing in this section contained shall exempt any person from the legal consequences of selling, uttering, or having in possession any forged stamp, knowing the same to be forged. Proviso.

8. Every person who is licensed to deal in stamps shall cause to be painted at full length, in Roman capital letters, one inch at least in height, and of a proper and proportionate breadth, on some conspicuous place on the outside of the front of every house or shop in or at which he is licensed to deal in stamps, and so that the same may be at all times plainly and distinctly visible and legible, his Christian name and surname, together with the words "Licensed to sell stamps," and shall continue such names and words so painted as aforesaid during all the time that he continues licensed as aforesaid, and for every neglect or omission in any of such matters shall forfeit the sum of *ten* pounds. How licence to be notified. 3 & 4 W. 4. c. 97. s. 5. Penalty 10*l*.

9. If any person who is not duly appointed to sell and distribute stamps, or duly licensed to deal in stamps, writes, paints, or marks, or causes or procures to be written, painted, or marked, or permits or suffers to continue written, painted, or marked, upon any part of his house or shop, either in the inside or on the outside thereof, Penalty on unauthorized persons holding themselves out as dealers in stamps. 3 & 4 W. 4. c. 97. s. 6.

A.D. 1870.

or upon any board or any material whatever exposed to public view, and whether the same be affixed to his house or shop or not, any word or words importing or signifying, or intended to import or signify, that he is a dealer in stamps, he shall forfeit the sum of

10*l.*

ten pounds for every day on which such offence is committed or continued.

Provisions as to the determination of a licence. 3 & 4 W. 4. c. 97. s. 8.

10. (1.) If any person licensed to deal in stamps dies or becomes bankrupt, or if the licence of any person to deal in stamps expires or is revoked, and any such person at the time of his death or bankruptcy, or at the expiration or revocation of his licence, has in his possession any stamps, such person, or his executor or administrator, or the trustee under his bankruptcy, may, within three months after the expiration or revocation of such licence, or next after such death or bankruptcy, as the case may be, bring or send such stamps to the chief office or to one of the head offices:

(2.) The commissioners may in any such case pay to the person bringing or sending any stamps the amount of the duty thereon, deducting therefrom the proper discount:

(3.) Provided, that the person who brings or sends such stamps makes proof to the satisfaction of the commissioners,—

(*a.*) That the same were actually in the possession of the person so dying or becoming bankrupt, or whose licence has expired or been revoked, for the purpose of sale, at the time when such person died or became bankrupt, or when such licence expired or was revoked:

(*b.*) That such stamps were purchased or procured by the person to whom such licence was granted at the chief office or at one of the head offices, or from some person duly appointed to sell and distribute stamps, or duly licensed to deal in stamps.

Penalty for hawking stamps, 20*l.*

Mode of proceeding. 3 & 4 W. 4. c. 97. s. 14.

11. (1.) If any person, whether licensed to deal in stamps or not, hawks or carries about, or offers for sale or exchange, any stamps, he shall forfeit the sum of *twenty* pounds, over and above any penalty to which, if unlicensed, he may be liable for dealing in stamps without a licence; and it shall be lawful for any person, without any other warrant than this Act, to apprehend any person so offending, and take him or cause him to be taken before a justice of the peace having jurisdiction where the offence is committed, who shall hear and determine the matter; and if the offender does not immediately on his conviction pay the said penalty of *twenty* pounds, he shall be committed to prison for any period not less than *one*

month nor more than *three* months, unless the penalty be sooner paid:

(2.) All stamps which are found in the possession of any such offender shall be forfeited, and shall be taken possession of by the justice, and delivered to the commissioners, to be disposed of as they think fit:

(3.) If the offender is not apprehended and proceeded against in the manner herein-before mentioned, the said penalty of *twenty* pounds is to be recoverable in the same manner as any other penalty hereby imposed.

Postage stamps.
23 & 24 Vict. c. 111. s. 22.

12. Notwithstanding anything in this Act contained, it shall be lawful for any person in the service or employment of the Post Office, without any other licence or authority than this Act, to sell postage stamps at any place, and to carry postage stamps about for sale.

Discount.
12 & 13 Vict. c. 80.
13 & 14 Vict. c. 97. s. 18.
17 & 18 Vict. c. 83. s. 24.
23 & 24 Vict. c. 111. s. 3.

13. Upon the sale of stamps such discount shall be allowed to the purchasers thereof as the Commissioners of Her Majesty's Treasury shall direct.

Allowance for spoiled stamps.
5 G. 3. c. 46. s. 39.
44 G. 3. c. 98. s. 17.
53 G. 3. c. 108. ss. 11, 18.
56 G. 3. c. 56. ss. 43–46.

14. Subject to such regulations as the commissioners may think proper to make, and to the production of such evidence by affidavit or otherwise as the commissioners may require, allowance is to be made by the commissioners for stamps spoiled in the cases hereinafter mentioned; (that is to say,)

(1.) The stamp on any material inadvertently and undesignedly spoiled, obliterated, or by any means rendered unfit for the purpose intended, before any instrument written thereon is executed by any party, and for which stamp no money or other consideration has been paid or given to the attorney, solicitor, or other person employed to transact the business intended to have been carried into execution thereby, or to the person by whom the same was written:

(2.) Any adhesive stamp which has never been used or affixed to any material, but which has been inadvertently and undesignedly spoiled or rendered unfit for use:

(3.) The stamp used or intended to be used for any bill of exchange or promissory note, signed by or on behalf of the drawer or intended drawer, but not delivered out of his hands to the payee or intended payee, or any person on his behalf, or deposited with any person as a security for the payment of money, or in any way negotiated, issued, or put in circulation, or made use of in any other manner whatever, and which being a bill of exchange has not

A.D. 1870.

been accepted by the drawee, and provided that the material on which any such stamp is impressed does not bear any signature intended as or for the acceptance of any bill of exchange to be afterwards written thereon:

(4.) The stamp used or intended to be used for any bill of exchange or promissory note signed by or on behalf of the drawer thereof, but which from any omission or error has been spoiled or rendered useless, although the same, being a bill of exchange, may have been presented for acceptance or accepted or indorsed, or, being a promissory note, may have been delivered to the payee, provided that another completed and duly stamped bill of exchange or promissory note is produced identical in every particular, except in the correction of such error or omission as aforesaid, with the spoiled bill or note:

(5.) The stamp used for any of the following instruments, that is to say,

(*a.*) The presentation to an ecclesiastical benefice not followed by institution:

(*b.*) An instrument executed by any party thereto, but afterwards found to be absolutely void in law from the beginning:

(*c.*) An instrument executed by any party thereto, but afterwards found unfit by reason of any error or mistake therein for the purpose originally intended:

(*d.*) An instrument executed by any party thereto, but which by reason of the death of any person by whom it is necessary that it should be executed, without having executed the same, or of the refusal of any such person to execute the same, or to advance any money intended to be thereby secured, cannot be completed so as to effect the intended transaction in the form proposed:

(*e.*) An instrument executed by any party thereto which for want of the execution thereof by some material and necessary party, and his inability or refusal to sign the same, is in fact incomplete and insufficient for the purpose for which it was intended:

(*f.*) An instrument executed by any party thereto, which by reason of the refusal of any person to

act under the same, or by the refusal or non-acceptance of any office thereby granted, totally fails of the intended purpose:

(*g.*) An instrument executed by any party thereto, which for want of enrolment or registration within the time required by law becomes null and void:

(*h.*) An instrument executed by any party thereto, which becomes useless in consequence of the transaction intended to be thereby effected being effected by some other instrument duly stamped:

(*i.*) An instrument executed by any party thereto which is inadvertently and undesignedly spoiled, and in lieu whereof another instrument made between the same parties and for the same purpose is executed and duly stamped:

Provided as follows:—

(1.) That in the case of an executed instrument,

(*a.*) The instrument is given up to be cancelled:

(*b.*) The application for relief is made within six months after the date of the instrument, or if it is not dated within six months after the execution thereof by the person by whom it was first or alone executed, except where from unavoidable circumstances any instrument for which another instrument has been substituted cannot be given up to be cancelled within the aforesaid period, and in that case within six months after the date or execution of the substituted instrument, and except where the spoiled instrument has become void for want of enrolment or registration, and in that case within six months next after it has so become void, and except also where the spoiled instrument has been sent abroad, and in that case within six months after it has been received back in any part of the United Kingdom:

(*c.*) No action has been brought or suit commenced in which the instrument could or would have been given or offered in evidence:

(2.) That in the case of stamped material, not having any executed instrument written thereon, and of an adhesive

A.D. 1870.

stamp not affixed to any material, the application for relief is made within six months after the stamp has been spoiled as aforesaid.

Allowance for misused stamps.
50 G. 3. c. 35. ss. 13, 14, 15.

15. When any person has inadvertently used for an instrument liable to duty a stamp of greater value than was necessary, or has inadvertently used any stamp for an instrument not liable to any duty, the commissioners may, on application made within six months after the date of the instrument, or if it is not dated within six months after the execution thereof by the person by whom it was first or alone executed, and upon the instrument, if liable to any duty, being restamped with the proper duty, cancel and allow as spoiled the stamp so misused.

Allowance how to be made.
3 & 4 W. 4. c. 97. s. 19.

16. In any case in which allowance is made for spoiled or misused stamps the commissioners may give in lieu thereof other stamps of the same denomination and value, or if required, and they think proper, stamps of any other denomination to the same amount in value, or, at their discretion, the same value in money, deducting the proper allowance on the purchase of stamps of the like description.

Stamps not wanted may be repurchased by the commissioners.
3 & 4 W. 4. c. 97. s. 19.

17. When any person is possessed of a stamp which has not been spoiled or rendered unfit or useless for the purpose intended, but for which he has no immediate use, the commissioners may, if they in their discretion think fit, repay to him the amount or value of such stamp in money, deducting the proper discount, upon his delivering up the stamp to be cancelled, and proving to their satisfaction that it was purchased by him with a bonâ fide intention to use it, and that he has paid the full value thereof without any deduction (except only the amount of such discount), and that the stamp was so purchased within the period of six months next preceding the application at the chief office or at one of the head offices, or from some person duly appointed to sell and distribute stamps or duly licensed to deal in stamps.

Criminal offences relating to stamps.
55 G. 3. c. 184. s. 7.
56 G. 3. c. 56. ss. 34 et seq.
3 & 4 W. 4. c. 97. s. 12.

18. Any person who does, or causes or procures to be done, or knowingly aids, abets, or assists in doing, any of the acts following, that is to say,

(1.) Forging a die or stamp:

(2.) Making an impression upon any material with a forged die:

(3.) Fraudulently cutting, tearing, or in any way removing from any material any stamp, with the intent that any use should be made of such stamp or of any part thereof:

A.D. 1870.

(4.) Fraudulently mutilating any stamp, with intent that any use should be made of any part of such stamp:

(5.) Fraudulently fixing or placing upon any material or upon any stamp, any stamp or part of a stamp which, whether fraudulently or not, has been cut, torn, or in any way removed from any other material, or out of or from any other stamp:

(6.) Fraudulently erasing or otherwise either really or apparently removing from any stamped material any name, sum, date, or other matter or thing whatsoever thereon written, with the intent that any use should be made of the stamp upon such material:

(7.) Knowingly selling or exposing for sale or uttering or using any forged stamp:

(8.) Knowingly, and without lawful excuse (the proof of which lawful excuse lies on the person accused) having in possession any forged die or stamp, or any stamp or part of a stamp which has been fraudulently cut, torn, or otherwise removed from any material, or any stamp which has been fraudulently mutilated, or any stamped material out of which any name, sum, date, or other matter or thing has been fraudulently erased or otherwise either really or apparently removed,

Is guilty of felony, and upon being convicted shall be liable to be subjected to penal servitude for the term of his natural life or for any term not less than *five* years, or to be imprisoned for any term not exceeding *three* years.

Proceedings for the detection of forged dies, &c. 3 & 4 W. 4. c. 97. s. 13.

19. On information given before any justice of the peace upon oath that there is just cause to suspect any person of being guilty of any of the offences aforesaid, such justice may, by a warrant under his hand, cause every dwelling house, room, workshop, outhouse, or other building or place belonging to or occupied by the suspected person, or where he is suspected of being or having been in any way engaged or concerned in the commission of any such offence, or of secreting any forged die or stamp, or any machinery, implements, or utensils applicable to the commission of any such offence, to be searched, and if upon such search any of the said several matters and things are found the same may be seized and carried away, in order that they may be produced in evidence against any offender, and shall afterwards, whether produced in evidence or not, by order of the court or judge before whom such offender is tried, or in case there shall be no such trial, by order of

A.D. 1870.

some justice of the peace, be delivered over to the commissioners, to be defaced or destroyed or otherwise disposed of as they may think fit.

Further proceedings for the detection of forged stamps. 3 & 4 W. 4. c. 97. s. 9.

20. (1.) Upon information given to the commissioners that there is reasonable cause to suspect that any person appointed to sell and distribute stamps, or being or having been licensed to deal in stamps, has in his possession any forged stamps, the commissioners may by warrant under their hands authorize any person to enter between the hours of nine in the morning and seven in the evening into any dwelling house, room, shop, warehouse, outhouse, or other building of or belonging to any such suspected person; and if on demand of admittance, and notice of such warrant, the door of any such dwelling house, room, shop, warehouse, outhouse, or other building, or any inner door thereof, is not opened, then such authorized person may break open the same respectively, and search for and seize any stamps that may be found in any such place as aforesaid, or elsewhere in the custody or possession of such suspected person.

(2.) All constables and other peace officers are hereby required, upon the request of any person acting under such warrant, to aid and assist in the execution thereof.

Penalty for resisting, obstructing, or refusing to assist, 50*l.*

(3.) Any person who—

(*a.*) Refuses to permit any such search or seizure to be be made as aforesaid;

(*b.*) Assaults, opposes, molests, or obstructs any person employed or acting in the execution or under the authority of any such warrant, or aiding or assisting in the execution thereof;

and every constable or peace officer who upon any such request as aforesaid, refuses or neglects to aid and assist in the execution of any such warrant as aforesaid,

Shall forfeit the sum of *fifty* pounds.

Mode of proceeding when stamps are seized. 3 & 4 W. 4. c. 97. s. 10.

21. (1.) The person who is intrusted with the execution of any such warrant as aforesaid shall, if required, give to the person in whose custody or possession any stamps are found and seized an acknowledgment of the number, particulars, and amount of the stamps so seized, and shall permit such last-mentioned person, or any person employed by him, to mark such stamps before the removal thereof:

(2.) If the person in whose custody or possession any stamps are so found and seized is or has been a licensed dealer in stamps, he shall be entitled to claim and receive in money from the commis-

sioners the amount of such of the stamps so seized as may be found to be genuine (deducting therefrom the proper discount), and also to receive the value of the material whereon the same may be impressed according to the rates at which material of the like quality and description is sold by the commissioners, or, if the commissioners think fit, such of the stamps so seized as may be found to be genuine may be returned to the person from whose custody or possession the same have been taken, with such reasonable amends as the Commissioners of Her Majesty's Treasury may think fit to award.

Licensed person in possession of forged stamps to be presumed guilty until contrary is shown. 3 & 4 W. 4. c. 97. s. 11.

22. If any forged stamps are found in the possession of any person appointed to sell and distribute stamps, or being or having been licensed to deal in stamps, such person shall be deemed and taken, unless the contrary is satisfactorily proved, to have had the same in his possession knowing them to be forged, and with intent to sell, use, or utter them, and shall be liable to all penalties and punishments imposed or inflicted by law upon persons selling, using, uttering, or having in possession forged stamps knowing the same to be forged.

Proceedings for the detection of stamps stolen or obtained fraudulently. 3 & 4 W. 4. c. 97. s. 15.

23. (1.) Any justice of the peace having jurisdiction in the place where any stamps are known or supposed to be concealed or deposited, may upon reasonable suspicion that the same have been stolen or fraudulently obtained, issue his warrant for the seizure thereof, and for apprehending and bringing before himself or any other justice within the same jurisdiction the person in whose possession or custody such stamps may be found, to be dealt with according to law:

(2.) If such person omits or refuses to account for the possession of such stamps, or is unable satisfactorily to account for the possession thereof, or if it does not appear that the same were purchased by him at the chief office or at one of the head offices, or from some person duly appointed to sell and distribute stamps or duly licensed to deal in stamps, such stamps of which no account or no satisfactory account is given, or which do not appear to have been so purchased as aforesaid, shall be forfeited to Her Majesty, her heirs or successors, and shall be accordingly condemned by such justice and delivered over to the commissioners; and any stamps so condemned shall be kept by the commissioners for the space of six months, and afterwards cancelled and destroyed, or disposed of as the commissioners think fit:

A.D. 1870.

(3.) Provided, that if at any time within six months after such condemnation any person makes out to the satisfaction of the commissioners that any stamps so condemned were stolen or otherwise fraudulently obtained from him, and that the same were purchased by him at the chief office or one of the head offices, or from some person duly appointed to sell and distribute stamps, or duly licensed to deal in stamps, such stamps may be delivered up to him.

As to the discontinuance of dies. 3 & 4 W. 4. c. 97. s. 17.

24. Whenever the commissioners determine to discontinue the use of any die, and provide a new die to be used in lieu thereof, and give public notice thereof in the London, Edinburgh, and Dublin Gazettes, then from and after any day to be stated in the notice (such day not being within one month after the same is so published) such new die shall be the only lawful die for denoting the duty chargeable in any case in which the discontinued die would have been used if it had not been so discontinued; and every instrument first executed by any person, or bearing date after the day so stated, and stamped with the discontinued die, shall be deemed to be not duly stamped:

Provided as follows:—

(1.) If any instrument stamped as last aforesaid, and first executed after the day so stated at any place out of the United Kingdom, is brought to the commissioners within fourteen days after it has been received in the United Kingdom, then upon proof of the facts to the satisfaction of the commissioners the stamp thereon shall be cancelled, and the instrument shall be stamped with the same amount of duty by means of the lawful die, without the payment of any penalty:

(2.) All persons having in their possession any material stamped with the discontinued die, and which by reason of the providing of such new die has been rendered useless, may at any time within six months after the day mentioned in such notice send the same to the chief office or either of the head offices, and the commissioners may thereupon cause the stamps on such material to be cancelled, and the same material, or, if the commissioners think fit, any other material, to be stamped with the new die, in lieu of and to an equal amount with the stamps so cancelled.

As to defacement of adhesive stamps.

25. Every person who by any writing in any manner defaces any adhesive stamp before it is used shall forfeit the sum of five pounds: Provided that any person may with the express sanction

of the commissioners, and in the manner and in conformity with the conditions which they may prescribe, write upon an adhesive stamp before it is used for the purpose of identification thereof.

Recovery of penalties.

26. (1.) Penalties incurred under this Act are to be sued for by information in the Court of Exchequer, in England in the name of the Attorney General for England, in Scotland in the name of the Lord Advocate, and in Ireland in the name of the Attorney General for Ireland, and may be recovered with full costs of suit:

(2.) The commissioners may, at their discretion, mitigate, or stay or compound proceedings for, any penalty, and reward any person who may inform them of any offence against this Act or assist in the recovery of any penalty.

Affidavits and declarations, how to be made.

27. Any affidavit or statutory declaration to be made in pursuance of or for the purposes of this Act may be made before any of the commissioners or any officer or person authorized by them in that behalf, or before any person appointed to administer oaths in Chancery in England or Ireland, or before any person commissioned to take affidavits by the court of session in Scotland, or any justice of the peace or notary public in any part of the United Kingdom, or at any place out of the United Kingdom before any person duly authorized to administer oaths there.

Stamp Duties Management.

A

B I L L

For consolidating and amending the law relating to the management of Stamp Duties.

(*Prepared and brought in by Mr. Stansfeld and Mr. Chancellor of the Exchequer.*)

Ordered, by The House of Commons, *to be Printed*, 14 *July* 1870.

[Bill 220.]

Under 2 *oz.*

A

B I L L

TO

Remove doubts as to the construction of a portion of the sixteenth section of the Act of the seventeenth and eighteenth Victoria, chapter eighty-three, relating to Stamp Duties. A.D. 1870.

WHEREAS by an Act passed in the seventeenth and eighteenth years of Her present Majesty, chapter eighty-three, certain stamp duties were charged on certain deeds, described in the schedule to that Act; and it was by the sixteenth section of the said Act, amongst other things, enacted, "That where any deed or instrument "which shall be charged with any ad valorem stamp duty in respect "of any sum of money, yearly or in gross, or any stock or security "therein mentioned, shall be made, also for any further or other "valuable consideration, such deed or instrument shall be charge-"able (except where express provision to the contrary is or shall "be made in any Act of Parliament) with such further stamp duty "as any separate deed or instrument made for such last-mentioned "consideration alone would be chargeable with, except progressive "duty:"

And whereas doubts have been entertained as to the true construction of the said section, which it is expedient to remove:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same:

No covenant to be deemed a valuable consideration within the meaning of the 16th section of the 17 & 18 Vict. c. 13. in

1. With regard to deeds or instruments made on or since the *tenth day of October one thousand eight hundred and fifty-four*, or to be made hereafter,—

If any deed is or shall be chargeable with an ad valorem stamp duty in respect of any rent or other sum of money, yearly or in gross, or on any stock or security therein mentioned, no covenant contained in such deed or instrument relating to the subject matter of

4

A.D. 1870.

any deed charged with an ad valorem stamp.

such deed or instrument shall be deemed to be a further or other valuable consideration within the meaning of the sixteenth section of the herein recited Act; and no outlay incurred or to be incurred by the lessee, or any other person named in any lease granted since the *passing of the said recited Act*, or hereafter to be granted, in building upon or adding to or otherwise improving the land or hereditaments demised by such lease, shall be deemed a valuable consideration, within the meaning of the sixteenth section of the said recited Act, so as to subject the same lease to any additional stamp duty in respect thereof.

A

BILL

To remove doubts as to the construction of a portion of the sixteenth section of the Act of the seventeenth and eighteenth Victoria, chapter eighty-three, relating to Stamp Duties.

(*Prepared and brought in by Mr. Bourke, Mr. Locke, and Mr. Dodds.*)

Ordered, by The House of Commons, *to be Printed*, 28 *March* 1870.

[Bill 89.]

Under 1 *oz.*

A

B I L L

TO

Relieve the holders of certain Leases from a Stamp Duty chargeable thereon by law, and to reduce the Stamp Duty on certain other Leases of the same description. A.D. 1870.

WHEREAS it was decided on the twenty-first day of January one thousand eight hundred and seventy by Her Majesty's Court of Exchequer, on the hearing of an appeal from the determination of the Commissioners of Inland Revenue on a question relating to stamp duty, that a certain lease made in consideration of a yearly rent thereby reserved, and in further consideration of a covenant by the lessee to complete unfinished houses which were at the date of the lease standing upon the demised land, was chargeable, according to the proper construction of the sixteenth section of an Act passed in the seventeenth and eighteenth years of Her Majesty's reign, chapter eighty-three, as if it were a separate lease made for such further consideration alone, with the stamp duty of thirty-five shillings, in addition to the ad valorem duty with which it was chargeable in respect of the yearly rent:

And whereas it is considered that the principle of the said decision is applicable to every lease made on or since the tenth day of October one thousand eight hundred and fifty-four, being the day on which the said Act came into operation, for any consideration or considerations in respect whereof it is chargeable with ad valorem duty, and in further consideration either of a covenant by the lessee to make or of his having previously made any substantial improvement of or addition to the property demised to him:

And whereas it was generally considered, previously to the said decision, that such leases as are herein-before described were not chargeable with the said additional duty:

And whereas it is expedient that the holders of any such leases made previously to the first day of February one thousand eight hundred and seventy should be relieved from the payment of the

A.D. 1870.

said additional duty, and that in respect of leases made on or since the first day of February one thousand eight hundred and seventy the said additional duty should be reduced in manner herein-after appearing:

Now be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

As to leases made before the 1st Feb. 1870.

1. No lease made for any consideration or considerations in respect whereof it is chargeable with ad valorem stamp duty, and in further consideration either of a covenant by the lessee to make or of his having previously made any substantial improvement of or addition to the property demised to him, and executed on or since the tenth day of October one thousand eight hundred and fifty-four, and previously to the first day of February one thousand eight hundred and seventy, shall be deemed to be or to have been chargeable with any stamp duty in respect of such further consideration.

As to leases made after the 1st Feb. 1870.

2. Every such lease as aforesaid executed on or since the first day of February one thousand eight hundred and seventy shall be deemed to have been and to be chargeable in respect of such further consideration with the duty of ten shillings, and not with the duty of thirty-five shillings.

Stamp Duty on Leases.

A

B I L L

To relieve the holders of certain Leases from a Stamp Duty chargeable thereon by law, and to reduce the Stamp Duty on certain other Leases of the same description.

(*Prepared and brought in by Mr. Chancellor of the Exchequer and Mr. Stansfeld.*)

Ordered, by The House of Commons, *to be Printed*, 3 *March* 1870.

[Bill 59.]

Under 1 *oz.*

A

B I L L

[AS AMENDED IN COMMITTEE]

TO

Declare the Stamp Duty chargeable on certain Leases. A.D. 1870.

WHEREAS it was decided on the twenty-first day of January one thousand eight hundred and seventy by Her Majesty's Court of Exchequer, on the hearing of an appeal from the determination of the Commissioners of Inland Revenue on a question relating to stamp duty, that a certain lease made in consideration of a yearly rent thereby reserved, and in further consideration of a covenant by the lessee to complete unfinished houses which were at the date of the lease standing upon the demised land, was chargeable, according to the proper construction of the sixteenth section of an Act passed in the seventeenth and eighteenth years of Her Majesty's reign, chapter eighty-three, as if it were a separate lease made for such further consideration alone, with the stamp duty of thirty-five shillings, in addition to the ad valorem duty with which it was chargeable in respect of the yearly rent:

And whereas it is considered that the principle of the said decision is applicable to every lease made on or since the tenth day of October one thousand eight hundred and fifty-four, being the day on which the said Act came into operation, for any consideration or considerations in respect whereof it is chargeable with ad valorem duty, and in further consideration either of a covenant by the lessee to make or of his having previously made any substantial improvement of or addition to the property demised to him:

And whereas it was generally considered, previously to the said decision, that such leases as are herein-before described were not chargeable with the said additional duty:

And whereas it is expedient that the holders of any such leases made previously to the passing of this Act should be relieved from the payment of the said additional duty, and that such leases should not in future be chargeable with such additional duty:

A.D. 1870.

Now be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

As to leases made before the 1st Feb. 1870.

1. No lease already made or hereafter to be made for any consideration or considerations in respect whereof it is chargeable with ad valorem stamp duty, and in further consideration either of a covenant by the lessee to make or of his having previously made any substantial improvement of or addition to the property demised to him, or of any usual covenant, shall be deemed to be or to have been chargeable with any stamp duty in respect of such further consideration.

A

BILL

[AS AMENDED IN COMMITTEE]

To declare the Stamp Duty chargeable on certain Leases.

(Prepared and brought in by Mr. Chancellor of the Exchequer and Mr. Stansfeld.)

Ordered, by The House of Commons, *to be Printed,* 13 *June* 1870.

[Bill 161.]

Under 1 *oz.*

A

B I L L

To provide for the periodical Inspection of Steam Boilers.

(Not Printed.)

[Bill 58.]

A

B I L L

FOR

Further promoting the revision of the Statute Law by repealing certain enactments that have ceased to be in force or are consolidated by certain Acts of the present Session. A.D. 1870.

WHEREAS the enactments described in the schedule to this Act have ceased to be in force, or on the commencement of Acts of the present session relating to the National Debt and to Forgery will cease to be in force, and, with a view to the revision of the Statute Law, and particularly to the preparation of the revised edition of the Statutes now in progress, it is expedient that the same enactments be expressly repealed:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. The enactments described in the schedule to this Act are hereby repealed, subject to the exceptions in the schedule mentioned: Enactments in schedule repealed.

Provided that this Act shall not affect the validity, invalidity, effect or consequences of any letter or power of attorney or other instrument or thing already made, done or suffered,—or any right or title already acquired or accrued, or any remedy or proceeding in respect thereof,—or any release or discharge of or from any debt, penalty, claim or demand,—or any indemnity,—or the proof of any past act or thing; Saving.

and the repeal by this Act of any enactment shall not affect any Act in which such enactment has been applied, incorporated or referred to;

nor shall such repeal affect any jurisdiction or procedure given or authorized by any Act hereby repealed with reference to questions arising in consequence of any commutation or payment under such Act, or affect any protection conferred by such Act in reference to any act, matter or thing done by any trustee, executor, administrator or other person;

A.D. 1870.

nor shall such repeal affect any right to any hereditary revenues of the Crown, or affect any charges thereupon, or prevent any enactment from being put in force for the collection of any such revenues, or otherwise in relation thereto.

Short title.

2. This Act may be cited as the Statute Law Revision Act, 1870.

SCHEDULE.

9 Gul. 3. c. 3.	An Act to give further time for the adminstring of oaths relating to talleys & orders and for the easier dispatch of the publick businesse in the Exchequer & in the Bank of England.
1 Geo. 1. Stat. 1. c. 2.	An Act for rectifying mistakes in the names of the Commissioners for the Land-Tax for the year one thousand seven hundred and fourteen; and for raising so much as is wanting to make up the sum of fourteen hundred thousand pounds, intended to be raised by a lottery for the publick service in the said year.
1 Geo. 1. Stat. 2. c. 12.	*An Act the title of which begins with the words,*—An Act for enlarging the fund of the governor and company of the Bank of England relating to Exchequer-Bills,—*and ends with the words,*—and for other purposes therein mentioned.
c. 19.	An Act for raising nine hundred and ten thousand pounds for publick services, by sale of annuities, after the rate of five pounds per centum per annum, redeemable by Parliament; and to authorize a treaty concerning private rights claimed by the proprietors of the sugar-houses in Scotland.
c. 21.	*An Act the title of which begins with the words,*—An Act for enlarging the capital stock and yearly fund of the South-Sea Company,—*and ends with the words,*—and for appropriating several supplies granted to His Majesty.
3 Geo. 1. c. 7.	*An Act the title of which begins with the words,*—An Act for redeeming the duties and revenues which were settled to pay off principal and interest on the orders made forth on four Lottery Acts,—*and ends with the words,*—and for taking off the duties on linseed imported, and British linen exported.
c. 8. in part.	*An Act the title of which begins with the words,*—An Act for redeeming several funds—*and ends with the words,*—and for other purposes in this Act mentioned } in part; namely,— Sections one to thirty-seven, forty to forty-four, forty-six to fifty-two, and section fifty-four to end of Act.
c. 9.	*An Act the title of which begins with the words,*—An Act for redeeming the yearly fund of the South-Sea Company,—*and ends with the words,*—time and manner thereby prescribed.
4 Geo. 1. c. 10.	An Act for making the dividend of subscribed lottery-annuities, and other annuities established by several Acts of Parliament payable half-yearly at the Bank of England.
5 Geo. 1. c. 3.	An Act for applying certain overplus monies, and further sums to be raised, as well by way of a lottery, as by loans, towards paying off and cancelling exchequer-bills, and for lessening the present great charge in relation to those bills; and for circulating and exchanging for ready money the residue of the same bills for the future.
c. 9.	An Act for continuing certain duties upon coals and culm, and for establishing certain funds to raise money, as well to proceed in the building of new churches, as also to compleat the supply granted to His Majesty; and to reserve the overplus monies of the said duties for the disposition of Parliament; and for more effectual suppressing private lotteries.

c. 19. *An Act the title of which begins with the words,*—An Act for redeeming the fund appropriated for payment of the lottery-tickets,—*and ends with the words,*— and to limit times for prosecutions upon bonds for exporting cards and dice.

6 Geo. 1. c. 4. *An Act the title of which begins with the words,*—An Act for enabling the South-Sea Company,—*and ends with the words,*—demand at or near the exchequer.

c. 10. *An Act the title of which begins with the words,*—An Act for making forth new exchequer-bills,—*and ends with the words,*—and for circulating and exchanging upon demand the said bills at or near the exchequer.

c. 11. in part. *An Act the title of which begins with the words,*—An Act for laying a duty upon wrought plate,—*and ends with the words,*—senna imported in the year one thousand seven hundred and sixteen - - } in part; namely,—
Sections four to forty, and forty-two to end of Act.

7 Geo. 1. Stat. 1. c. 5. An Act to enable the South-Sea Company to ingraft part of their capital stock and fund into the stock and fund of the bank of England, and another part thereof into the stock and fund of the East-India Company; and for giving further time for payments to be made by the said South-Sea Company, to the use of the publick.

c. 27. in part. *An Act the title of which begins with the words,*—An Act for raising a sum not exceeding five hundred thousand pounds,—*and ends with the words,*—and for making good a deficiency to the East-India Company - - - - - - - - - } :—
Except section nineteen.

Stat. 2. An Act for making several provisions to restore the publick credit, which suffers by the frauds and mismanagements of the late directors of the South-Sea Company and others.

8 Geo. 1. c. 20. *An Act the title of which begins with the words,*—An Act for paying off and cancelling one million of exchequer-bills,—*and ends with the words,*—and for ascertaining the duties on pictures imported.

c. 21. in part. *An Act the title of which begins with the words,*—An Act to enable the South-Sea Company,—*and ends with the words,*—touching payment of ten per centum therein mentioned - - - - } in part; namely,—
Sections one to three, five, six, eight, nine, section eleven from "and that the part or parts" to end of that section, and section sixteen to end of Act.

c. 22. An Act to prevent the mischiefs by forging powers to transfer such stocks, or to receive such annuities or dividends as are therein mentioned, or by fraudulently personating the true owners thereof; and to rectify mistakes of the late managers for taking subscriptions for increasing the capital stock of the South-Sea Company, and in the instruments founded thereupon.

9 Geo. 1. c. 5. An Act for redeeming certain annuities, now payable by the cashier of the Bank of England, at the rate of five pounds per centum per annum.

c. 6. *An Act the title of which begins with the words,*—An Act for reviving and adding two millions to the capital stock of the South-Sea Company,—*and ends with the words,*—and for continuing, for one year longer, the provision formerly made against requiring special bail in actions or suits upon such contracts as are therein mentioned.

c. 12. An Act for the more easy assigning or transferring certain redeemable annuities, payable at the Exchequer, by endorsements on the standing orders for the same.

10 Geo. 1. c. 5.	*An Act the title of which begins with the words,*—An Act for redeeming certain annuities after the rate of five pounds per centum per annum,—*and ends with the words,*—and for granting relief to Catherine Collingwood, widow.
11 Geo. 1. c. 9. in part.	*An Act the title of which begins with the words,*—An Act for continuing the several annuities,—*and ends with the words,*—bank-bills or notes - - } in part; namely,— Section six.
c. 17.	An Act for redeeming the annuities of twenty-five thousand pounds per annum, charged on the civil list revenues, by an Act of the seventh year of His Majesty's reign; and for discharging the debts and arrears due from His Majesty to his servants, tradesmen, and others.
12 Geo. 1. c. 2. in part.	An Act for granting to His Majesty the sum of one million, to be raised by way of a lottery - - } in part; namely,— Section two to end of Act.
13 Geo. 1. c. 3.	*An Act the title of which begins with the words,*—An Act for redeeming sundry annuities transferrable at the Bank of England,—*and ends with the words,*—the sufferers at Nevis and St. Christopher's, as far as the same will extend.
c. 21.	*An Act the title of which begins with the words,*—An Act for granting to His Majesty the sum of three hundred and seventy thousand pounds,—*and ends with the words,* —since made perpetual.
1 Geo. 2. Stat. 2. c. 8. in part.	*An Act the title of which begins with the words,*—An Act for granting an aid to His Majesty,—*and ends with the words,*—and for applying the arrears of His late Majesty's civil list revenues - - - } in part; namely,— Sections one to four, six, seven, nine to eleven, section twelve from "and from and after" to end of that section, section fourteen, and section sixteen to end of Act.
2 Geo. 2. c. 3. in part.	An Act for raising the sum of one million two hundred and fifty thousand pounds by sale of annuities to the Bank of England, after the rate of four pounds per centum per annum, redeemable by Parliament; and for applying the produce of the sinking fund - } in part; namely,— Sections one to four, six, eight to ten, section eleven from "and from and after" to end of that section, section thirteen, and section fifteen to end of Act.
3 Geo. 2. c. 16.	*An Act the title of which begins with the words,*—An Act for raising five hundred and fifty thousand pounds,—*and ends with the words,*—by the receiver general for the county of Salop.
4 Geo. 2. c. 5.	An Act for the further application of the sinking fund, by paying off one million of South-Sea annuities.
c. 9.	An Act for raising one million two hundred thousand pounds by annuities and a lottery, in manner therein mentioned, and for appropriating the supplies granted in this session of Parliament, and for making forth duplicates of exchequer bills, lottery tickets and orders lost, burnt or otherwise destroyed.
5 Geo. 2. c. 17.	An Act for the further application of the sinking fund, by paying off one million of South-Sea Stock; and for appropriating the supplies granted in this session of Parliament; and for making forth duplicates of exchequer bills, lottery tickets and orders, lost, burnt or otherwise destroyed.
6 Geo. 2. c. 28.	An Act for the converting a further part of the capital stock of the South-Sea Company into annuities redeemable by Parliament, and for settling the remaining part of the said stock in the said Company.
9 Geo. 2. c. 34.	*An Act the title of which begins with the words,*—An Act for enabling His Majesty to borrow,—*and ends with the words,*—and for appropriating the supplies granted in this session of Parliament.

10 Geo. 2. c. 17.	*An Act the title of which begins with the words,*—An Act for repealing the present duty on sweets,—*and ends with the words,*—orders lost, burnt, or otherwise destroyed.
11 Geo. 2. c. 27.	*An Act the title of which begins with the words,*—An Act for granting to His Majesty the sum of two millions,—*and ends with the words,*—and for the further appropriating the supplies granted in this session of Parliament.
15 Geo. 2. c. 13. in part.	An Act for establishing an agreement with the governor and company of the Bank of England, for advancing the sum of one million six hundred thousand pounds, towards the supply for the service of the year one thousand seven hundred and forty-two - - } in part; namely,— Sections one to five and nine to eleven.
c. 19.	An Act for granting to His Majesty the sum of eight hundred thousand pounds, to be raised by annuities transferrable at the Bank of England; and for ascertaining the customs and duties upon quicksilver taken as prize during the present war; and for the further appropriating the supplies granted in this session of Parliament.
16 Geo. 2. c. 12.	*An Act the title of which begins with the words,*—An Act for repealing the several rates and duties upon victuallers and retailers of beer and ale,—*and ends with the words,*—duties for licences.
c. 13.	An Act for raising by annuities and a lottery in manner therein mentioned, the sum of one million eight hundred thousand pounds, at three pounds per centum per annum, for the service of the year one thousand seven hundred and forty-three.
17 Geo. 2. c. 18.	An Act for raising by annuities, and a lottery, in manner therein mentioned, the sum of one million eight hundred thousand pounds, at three pounds per centum per annum, for the service of the year one thousand seven hundred and forty-four.
18 Geo. 2. c. 9.	An Act for granting to His Majesty several additional duties upon all wines imported into Great Britain; and for raising a certain sum of money by annuities, and a lottery, in manner therein mentioned, to be charged on the said additional duties.
19 Geo. 2. c. 6. in part.	An Act for establishing an agreement with the governor and company of the Bank of England, for cancelling certain exchequer bills upon the terms therein mentioned; and for obliging them to advance the sum of one million upon the credit of the land-tax and malt duties, granted to His Majesty for the service of the year one thousand seven hundred and forty-six - } in part; namely,— Sections one, two, four, six, seven, nine, ten, and section fifteen to end of Act.
c. 12.	*An Act the title of which begins with the words,*—An Act for granting to His Majesty several rates and duties upon glass, and upon spirituous liquors,—*and ends with the words,*—last session of Parliament.
20 Geo. 2. c. 3.	An Act for repealing the several rates and duties upon houses, windows and lights; and for granting to His Majesty other rates and duties upon houses, windows or lights; and for raising the sum of four millions four hundred thousand pounds by annuities, to be charged on the said rates or duties.
c. 10.	An Act for granting to His Majesty several rates and duties upon coaches, and other carriages therein mentioned; and for raising the sum of one million, by way of lottery, to be charged upon the said rates and duties.
21 Geo. 2. c. 2.	*An Act the title of which begins with the words,*—An Act for granting to His Majesty a subsidy of poundage,—*and ends with the words,*—as enacts that prize goods and merchandise may be exported without paying any duty of custom or excise for the same.
22 Geo. 2. c. 23.	An Act to charge the sinking fund with the payment of annuities in discharge of navy, victualling and transport bills, and ordnance debentures, to the amount therein mentioned.

23 Geo. 2. c. 1. in part.	An Act for reducing the several annuities which now carry an interest after the rate of four pounds per centum per annum, to the several rates of interest therein mentioned - - - - - :— Except so far as relates to interest on the debt from the public to the governor and company of the Bank of England.
c. 16.	An Act for granting to His Majesty the sum of one million, to be raised by annuities at three pounds per centum per annum, and charged on the sinking fund, transferrable at the bank of England.
c. 22. in part.	An Act for giving further time to the proprietors of annuities, after the rate of four pounds per centum per annum, to subscribe the same in the manner, and upon the terms therein mentioned; and for redeeming such of the said annuities as shall not be so subscribed; and for empowering the East India Company to raise certain sums by transferrable annuities - - - - - - :— Except so far as relates to interest on the debt from the public to the governor and company of the Bank of England.
24 Geo. 2. c. 2.	An Act for granting to His Majesty the sum of two millions one hundred thousand pounds, to be raised by annuities and a lottery, and charged on the sinking fund, redeemable by Parliament.
c. 4. in part.	*An Act the title of which begins with the words,*—An Act for enabling His Majesty to raise the several sums of money therein mentioned, —*and ends with the words,*—annuities omitted to be subscribed, pursuant to two Acts of the last session of Parliament - - :— Except sections twenty-one and twenty-two.
c. 11.	An Act for reducing the interest upon the capital stock of the South Sea Company, from the time and upon the terms therein mentioned; and for preventing of frauds committed by the officers and servants of the said Company.
25 Geo. 2. c. 25.	*An Act the title of which begins with the words,*—An Act for granting to His Majesty a certain sum of money therein mentioned,—*and ends with the words,*—and for the further appropriating the supplies granted in this session of Parliament.
c. 27.	An Act for converting the several annuities therein mentioned into several joint stocks of annuities, transferrable at the bank of England, to be charged on the sinking fund; and also for consolidating the several other annuities therein mentioned, into several joint stocks of annuities, transferrable at the South-Sea House.
26 Geo. 2. c. 1.	*An Act the title of which begins with the words,*—An Act for continuing and granting to His Majesty certain duties upon malt, mum, cyder and perry,—*and ends with the words,*—into the joint stock of annuities therein mentioned.
c. 23.	*An Act the title of which begins with the words,*—An Act for granting to His Majesty a certain sum of money therein mentioned, out of the sinking fund, —*and ends with the words,*—and for other purposes therein mentioned.
28 Geo. 2. c. 15.	An Act for granting to His Majesty the sum of one million, to be raised by a lottery.
29 Geo. 2. c. 7.	An Act for granting to His Majesty the sum of two millions, to be raised by way of annuities and a lottery, and charged on the sinking fund, redeemable by Parliament; and for extending to Ireland the laws made in this kingdom against private and unlawful lotteries.
30 Geo. 2. c. 19.	*An Act the title of which begins with the words,*—An Act for granting to His Majesty several rates and duties upon indentures, leases, bonds, and other deeds,—*and ends with the words,*—duties omitted to be paid for the indentures and contracts of clerks and apprentices.

31 Geo. 2. c. 22. in part.	An Act for granting to His Majesty several rates and duties upon offices and pensions; and upon houses; and upon windows or lights; and for raising the sum of five millions by annuities, and a lottery, to be charged on the said rates and duties - - } in part; namely,— Sections eight, nine and thirty-one to seventy-eight.
32 Geo. 2. c. 10.	*An Act the title of which begins with the words,*—An Act for granting to His Majesty a subsidy of poundage,—*and ends with the words,*—additional inland duty.
c. 22.	*An Act the title of which begins with the words,*—An Act for adding certain annuities,—*and ends with the words,*—on the produce of the said fund.
33 Geo. 2. c. 7. in part.	*An Act the title of which begins with the words,*—An Act for granting to His Majesty several duties upon malt,—*and ends with the words,*— } :— orders, lost, burnt, or otherwise destroyed - - - - - Except section sixteen.
c. 12.	*An Act the title of which begins with the words,*—An Act for adding certain annuities granted in the year one thousand seven hundred and fifty-nine,—*and ends with the words,*—not disposed of.
1 Geo. 3. c. 7.	An Act for granting to His Majesty an additional duty upon strong beer and ale; and for raising the sum of twelve millions, by way of annuities and a lottery, to be charged on the said duty; and for further encouraging the exportation of strong beer and ale.
2 Geo. 3. c. 9.	*An Act the title of which begins with the words,*—An Act for charging certain annuities,—*and ends with the words,*—and other orders lost, burnt, or otherwise destroyed.
c. 10.	An Act for raising by annuities, in manner therein mentioned, the sum of twelve millions, to be charged on the sinking fund; and for applying the surplus of certain duties on spirituous liquors, and also the monies arising from the duties on spirituous liquors, granted by an Act of this session of Parliament.
3 Geo. 3. c. 9.	An Act for granting annuities to satisfy certain navy, victualling and transport bills, and ordnance debentures; and for charging the payment of such annuities on the sinking fund; and making good the same to the said fund, in manner therein mentioned.
c. 12.	An Act for granting to His Majesty several additional duties upon wines imported into this kingdom, and certain duties upon all cyder and perry; and for raising the sum of three millions five hundred thousand pounds by way of annuities and lotteries, to be charged on the said duties.
4 Geo. 3. c. 18.	*An Act the title of which begins with the words,*—An Act for charging on the sinking fund certain annuities,—*and ends with the words,*—annuities granted by an Act passed in the second year of His present Majesty's reign.
c. 25.	*An Act the title of which begins with the words,*—An Act for establishing an agreement with the governor and company of the Bank of England,—*and ends with the words,*—and the fraudulent personating the owners thereof.
5 Geo. 3. c. 16.	An Act for altering the times of payment of certain annuities, established by two Acts made in the thirty-third year of the reign of His late Majesty, and in the second year of the reign of His present Majesty.
c. 23.	An Act for granting annuities, to be attended with a lottery, to satisfy and discharge certain navy, victualling, and transport bills; and for charging the payment of such annuities on the sinking fund.
c. 42.	An Act for redeeming one-fourth part of the joint stock of annuities established by an Act made in the third year of His present Majesty's reign, in respect of several navy, victualling, and transport bills, and ordnance debentures.

6 Geo. 3. c. 21.	An Act for redeeming one-third part of the remainder of the joint stock of annuities, established by an Act made in the third year of His present Majesty's reign, in respect of several navy, victualling, and transport bills, and ordnance debentures.
c. 39.	An Act for raising the sum of one million five hundred thousand pounds, by way of annuities and a lottery, to be charged on the sinking fund.
7 Geo. 3. c. 24.	An Act for raising the sum of one million five hundred thousand pounds, by way of annuities, and a lottery attended with annuities, to be charged on the sinking fund.
c. 25.	*An Act the title of which begins with the words,*—An Act for redeeming one-fourth part of the joint stock annuities,—*and ends with the words,*—to be charged on the said duties.
c. 26.	An Act for redeeming the remainder of the joint stock of annuities established by an Act made in the third year of His present Majesty's reign, in respect of several navy, victualling, and transport bills, and ordnance debentures.
8 Geo. 3. c. 29.	*An Act the title of which begins with the words,*—An Act for redeeming the remainder of the joint stock of annuities,—*and ends with the words,*—to be charged on the said duties.
c. 31.	*An Act the title of which begins with the words,*—An Act for raising a certain sum of money,—*and ends with the words,*—to the said fund.
10 Geo. 3. c. 36.	*An Act the title of which begins with the words,*—An Act for redeeming the capital or joint stock of annuities,—*and ends with the words,*—private and unlawful lotteries.
c. 46.	An Act for establishing a lottery, and for other purposes therein mentioned.
12 Geo. 3. c. 63.	An Act for redeeming one million five hundred thousand pounds of the capital stocks of three pounds per centum annuities, in the manner, and on the terms therein mentioned ; and for establishing a lottery.
14 Geo. 3. c. 76.	An Act for redeeming the sum of one million of the capital stocks of three pounds per centum annuities, in the manner and on the terms therein mentioned ; and for establishing a lottery.
15 Geo. 3. c. 41.	An Act for redeeming the sum of one million of the capital stocks of three pounds per centum annuities, in the manner and on the terms therein mentioned ; and for establishing a lottery.
16 Geo. 3. c. 34.	An Act for granting to His Majesty several duties on coaches, and other carriages therein mentioned; and several rates and duties upon indentures, leases, bonds, and other deeds ; and upon cards, dice, and newspapers ; and for raising the sum of two millions by annuities, and a lottery to be attended with annuities.
17 Geo. 3. c. 46.	An Act for raising a certain sum of money by way of annuities, and for establishing a lottery.
18 Geo. 3. c. 22.	An Act for raising a certain sum of money by way of annuities, and for establishing a lottery.
19 Geo. 3. c. 18.	An Act for raising a certain sum of money by way of annuities, and for establishing a lottery.
20 Geo. 3. c. 16.	An Act for raising a certain sum of money by way of annuities, and for establishing a lottery.

21 Geo. 3. c. 14. in part.	*An Act the title of which begins with the words,*—An Act for raising a certain sum by way of annuities, and a lottery,—*and ends with the words,*—fifth year of the reign of His present Majesty - - - :— Except section sixty.
22 Geo. 3. c. 8.	An Act for raising a certain sum of money by way of annuities, and for establishing a lottery.
c. 34.	*An Act the title of which begins with the words,*—An Act for raising a certain sum of money by loans or exchequer bills,—*and ends with the words,*—and several subsequent Acts.
23 Geo. 3. c. 35.	An Act for raising a certain sum of money by way of annuities, and for establishing a lottery.
24 Geo. 3. Sess. 2. c. 10.	An Act for raising a certain sum of money by way of annuities, and for establishing a lottery.
c. 32.	An Act to postpone the payment of the sum of two millions, advanced by the governor and company of the Bank of England, towards the supply for the service of the year one thousand seven hundred and eighty-one.
c. 37.	*An Act the title of which begins with the words,*—An Act for granting to his Majesty certain additional rates of postage,—*and ends with the words,*—free from postage.
c. 39.	An Act for granting annuities to satisfy certain navy, victualling, and transport bills, and ordnance debentures.
25 Geo. 3. c. 32.	An Act for granting annuities to satisfy certain navy, victualling, and transport bills, and ordnance debentures.
c. 71.	An Act for extending the time limited, by an Act of this session, for delivering in navy, victualling, and transport bills.
c. 83.	An Act for further postponing the payment of the sum of two millions, advanced by the governor and company of the Bank of England, towards the supply for the service of the year one thousand seven hundred and eighty-one.
26 Geo. 3. c. 34.	An Act for altering the days of payment of the long annuities, and annuities for thirty and twenty-nine years.
29 Geo. 3. c. 37.	An Act for raising a certain sum of money by way of annuities.
31 Geo. 3. c. 33.	An Act for the payment of the sum of five hundred thousand pounds by the governor and company of the Bank of England into the receipt of His Majesty's exchequer.
33 Geo. 3. c. 28.	An Act raising a certain sum of money, by way of annuities, to be charged on the Consolidated Fund; and for making perpetual certain duties of excise on British spirits, and certain duties on the amount of assessed taxes.
c. 32.	*An Act the title of which begins with the words,*—An Act for enabling His Majesty to raise the sum of one million five hundred thousand pounds,—*and ends with the words,*—Bank of England.
c. 47. in part.	*An Act the title of which begins with the words,*—An Act for placing the stock called East India annuities under the management,—*and ends with the words,*—debts of the said company - - - :— Except section eight to end of Act.
34 Geo. 3. c. 1.	An Act for raising the sum of eleven millions by way of annuities.
c. 21.	An Act for granting annuities to satisfy certain navy and victualling bills; and for providing for the regular payment of all navy and victualling bills that shall be issued in future.
35 Geo. 3. c. 14.	An Act for raising the sum of eighteen millions by way of annuities.
c. 32.	An Act for granting annuities to satisfy certain navy and victualling bills.
c. 66.	*An Act the title of which begins with the words,*—An Act for making part of certain principal sums,—*and ends with the words,*—Bank of England.

c. 128.	An Act for allowing a further annuity to the subscribers to the sum of eighteen millions, authorized to be raised for the service of the year one thousand seven hundred and ninety-five.
5 Geo. 3. c. 12.	An Act for raising the sum of eighteen millions by way of annuities.
c. 74.	An Act for raising the sum of seven millions five hundred thousand pounds by way of annuities.
c. 122.	An Act for granting annuities to satisfy certain navy, victualling, and transport bills.
37 Geo. 3. c. 9.	An Act for granting annuities to satisfy certain navy, victualling, transport, and exchequer bills.
c. 10.	An Act for raising the sum of eighteen millions by way of annuities.
c. 20.	An Act for extending the time limited by an Act of this session, for delivering in navy, victualling, transport, and exchequer bills.
c. 46.	*An Act the title of which begins with the words,*—An Act for making certain annuities created by the Parliament of the kingdom of Ireland, transferrable, —*and ends with the words,*—Bank of England.
c. 57.	An Act for raising the sum of fourteen millions five hundred thousand pounds by way of annuities.
c. 122.	*An Act the title of which begins with the words,*—An Act for the better preventing the forging or counterfeiting the names of witnesses to letters of attorney,—*and ends with the words,*—stocks or funds.
38 Geo. 3. c. 37.	An Act for raising the sum of seventeen millions by way of annuities.
39 Geo. 3. c. 7.	An Act for raising the sum of three millions by way of annuities.
c. 60.	An Act for raising the sum of fifteen millions five hundred thousand pounds by way of annuties.
39 & 40 Geo. 3. c. 22.	An Act for raising the sum of twenty millions five hundred thousand pounds by way of annuities.
41 Geo. 3. (U.K.) c. 3.	An Act for raising the sum of twenty-eight millions by way of annuity.
42 Geo. 3. c. 8.	An Act for granting annuities to satisfy certain exchequer bills.
c. 33.	An Act for raising the sum of twenty-five millions by way of annuities.
c. 58.	An Act for raising a certain sum of money by way of annuities on debentures, for the service of Ireland.
43 Geo. 3. c. 67.	An Act for raising the sum of twelve millions by way of annuities.
44 Geo. 3. c. 47.	An Act for raising the sum of fourteen millions five hundred thousand pounds by way of annuities.
c. 48.	An Act for raising a certain sum of money by way of annuities or debentures, for the service of Ireland.
c. 99.	An Act for granting additional annuities to the proprietors of stock created by two Acts, passed in the thirty-seventh and forty-second years of His present Majesty.
45 Geo. 3. c. 8.	An Act for amending an Act, passed in the last session of Parliament, for granting additional annuities to the proprietors of stock created by two Acts, passed in the thirty-seventh and forty-second years of His present Majesty.

c. 12.	An Act for raising the sum of twenty-two millions five hundred thousand pounds by way of annuities.
c. 40.	An Act for raising the sum of one million five hundred thousand pounds by way of annuities for the service of Ireland.
c. 73.	An Act to enable the Commissioners of the Treasury to contract with certain proprietors of stock created by two Acts, passed in the thirty-seventh and forty-second years of His present Majesty, for granting other annuities in lieu thereof, or to pay the same off at the period herein mentioned.
46 Geo. 3. c. 33.	An Act for raising the sum of twenty millions by way of annuities.
c. 47.	An Act for raising a certain sum of money by way of annuities or debentures for the service of Ireland.
c. 55.	An Act to provide for the payment, at the Bank of Ireland, of the interest on certain debentures now payable at the Exchequer of Ireland; and also for altering the days of payment of the interest or dividends on certain annuities in Ireland.
47 Geo. 3. Sess. 1. c. 28.	An Act for raising the sum of fourteen millions two hundred thousand pounds by way of annuities.
c. 46.	An Act for raising the sum of one million five hundred thousand pounds by way of annuities, for the service of Ireland.
48 Geo. 3. c. 3.	An Act for empowering the governor and company of the Bank of England to advance the sum of three million, towards the supply for the service of the year one thousand eight hundred and eight.
c. 38.	An Act for granting annuities to satisfy certain exchequer bills.
c. 76.	An Act for raising the sum of ten millions five hundred thousand pounds by way of annuities.
c. 83.	An Act for raising the sum of seven hundred and fifty thousand pounds by way of annuities for the service of Ireland.
49 Geo. 3. c. 21.	An Act for granting annuities to discharge certain exchequer bills.
c. 71.	An Act for raising the sum of fourteen millions six hundred thousand pounds by way of annuities.
c. 78.	An Act for raising the sum of one million two hundred and fifty thousand pounds by way of annuities and Treasury bills for the service of Ireland.
50 Geo. 3. c. 23.	An Act for granting annuities to discharge certain exchequer bills.
c. 36.	An Act for granting annuities to discharge an additional number of exchequer bills.
c. 45.	An Act for raising the sum of twelve millions by way of annuities.
c. 68.	An Act for raising the sum of one million four hundred thousand pounds by way of annuities for the service of Ireland.
51 Geo. 3. c. 16.	An Act for granting annuities to discharge certain exchequer bills.
c. 22.	An Act for raising the sum of two millions five hundred thousand pounds, by way of annuities and Treasury bills, for the service of Ireland.
c. 26.	An Act for raising the sum of four millions nine hundred eighty-one thousand three hundred pounds by way of annuities.
c. 35.	An Act to secure to the Bank of Ireland the repayment of all monies advanced by them for the purposes and in the manner therein mentioned.
c. 49.	An Act for raising the sum of twelve millions by way of annuities.
52 Geo. 3. c. 14.	An Act for granting annuities to discharge certain exchequer bills.
c. 24.	An Act for raising the sum of six millions seven hundred and eighty-nine thousand six hundred and twenty five pounds by way of annuities.

c. 70.	An Act for raising the sum of one million five hundred thousand pounds by way of annuities and treasury bills for the service of Ireland.
c. 85.	An Act for raising the sum of twenty two millions five hundred thousand pounds by way of annuities.
Geo. 3. c. 41.	An Act for granting annuities to satisfy certain exchequer bills; and for raising a sum of money by debentures for the service of Great Britain.
c. 53.	*An Act the title of which begins with the words,*—An Act for raising a further sum of money by debentures,—*and ends with the words,*—money by debentures.
c. 61.	An Act for raising the sum of two millions by way of annuities and treasury bills for the service of Ireland.
c. 69.	An Act for raising the sum of twenty seven millions by way of annuities.
c. 95.	An Act to provide for the charge of the addition to the public funded debt of Great Britain, in the year one thousand eight hundred and thirteen.
4 Geo. 3. c. 3.	An Act for raising the sum of twenty two millions by way of annuities.
c. 8.	An Act to provide for the charge of the addition to the public funded debt of Great Britain for the service of the year one thousand eight hundred and fourteen.
c. 76.	An Act for raising the sum of twenty four millions by way of annuities.
c. 85.	An Act for raising the sum of three millions by way of annuities for the service of Ireland.
c. 89.	An Act for the charge of the further addition to the public funded debt of Great Britain, for the service of the year one thousand eight hundred and fourteen.
c. 139.	An Act to rectify a mistake in an Act of this session of Parliament, for raising the sum of twenty four millions by way of annuities.
c. 140.	An Act to amend several Acts of the Parliament of Ireland for granting certain annuities.
55 Geo. 3. c. 2.	An Act for directing the application of the residuary personal estate of Anna Maria Reynolds spinster, bequeathed by her to the use of the sinking fund.
c. 16.	*An Act the title of which begins with the words,*—An Act to continue and amend an Act,—*and ends with the words,*—service of the year one thousand eight hundred and eight.
c. 58.	An Act for granting annuities to discharge certain exchequer bills.
c. 74.	An Act for granting annuities to discharge certain exchequer bills; and for raising a sum of money by annuities, for the service of Great Britain.
c. 124.	An Act for raising the sum of thirty six millions by way of annuities.
56 Geo. 3. c. 7.	*An Act the title of which begins with the words,*—An Act to continue,—*and ends with the words,*—service of the year one thousand eight hundred and eight.
c. 60.	*An Act the title of which begins with the words,*—An Act to authorise the transferring stock,—*and ends with the words,*—reduction of the National Debt.
c. 89.	An Act to provide for the charge of certain additions to the public debt of Ireland, for the service of the year one thousand eight hundred and sixteen.
57 Geo. 3. c. 82.	An Act to continue an Act passed in Ireland in the thirteenth and fourteenth years of His present Majesty respecting certain annuities, so long as the said annuities shall be payable.

c. 83.	An Act to amend an Act, made in the last session of Parliament, for providing for the charge of certain additions to the public debt of Ireland.
58 Geo. 3. c. 23.	An Act for raising the sum of three millions, by the transfer of certain three pounds per centum annuities into other annuities, at the rate of three pounds ten shillings per centum; and for granting annuities to discharge certain exchequer bills.
59 Geo. 3. c. 42.	An Act for raising the sum of twelve millions by way of annuities.
1 Geo. 4. c. 13.	An Act for funding exchequer bills to a certain amount, and for raising a sum of money by way of annuities, for the service of the year one thousand eight hundred and twenty.
c. 17.	An Act for raising the sum of five millions by way of annuities.
c. 23.	An Act to provide for the charge of the addition to the public funded debt of Great Britain, for the service of the year one thousand eight hundred and twenty.
1 & 2 Geo. 4. c. 26.	An Act for making further provision for the gradual resumption of payments in cash by the Bank of England.
c. 27.	An Act for making further provision for the gradual resumption of payments in cash by the Bank of Ireland.
c. 73.	An Act to permit, for three years, the transfer from certain public stocks or funds in Ireland, to certain stocks or funds in Great Britain.
c. 108.	An Act to provide for the charge of the addition to the public funded debt of the United Kingdom of Great Britain and Ireland, for the service of the year one thousand eight hundred and twenty one.
3 Geo. 4. c. 9.	An Act for transferring several annuities of five pounds per centum per annum into annuities of four pounds per centum per annum.
c. 17.	An Act for converting annuities and debentures of five pounds per centum per annum, payable at the Bank of Ireland, into new annuities of four pounds per centum per annum.
c. 26.	*An Act the title of which begins with the words,*—An Act to reduce the rate of interest,—*and ends with the words,*—forty eighth year of His late Majesty.
c. 61.	*An Act the title of which begins with the words,*—An Act to regulate the performance of certain contracts,—*and ends with the words,*—annuities in lieu thereof.
c. 66.	*An Act the title of which begins with the words,*—An Act for authorizing the Commissioners for the Reduction of the National Debt,—*and ends with the words,*—annuities in lieu thereof.
c. 68.	An Act to provide for the charge of the addition to the public funded debt of Great Britain and Ireland, for defraying the expence of military and naval pensions and civil superannuations.
c. 89.	An Act to provide for the charge of the addition to the public funded debt of Great Britain, for the service of the year one thousand eight hundred and twenty-two.
c. 93.	An Act for carrying into execution an agreement between His Majesty and the East India Company.
4 Geo. 4. c. 22.	*An Act the title of which begins with the words,*—An Act to confirm an agreement,—*and ends with the words,*—Bank of England.
5 Geo. 4. c. 9.	An Act to carry into effect a convention relating to Austrian loans.
c. 11.	An Act for transferring several annuities of four pounds per centum per annum into annuities of three pounds ten shillings per centum per annum.
c. 24.	An Act for transferring several annuities of four pounds per centum per annum, transferable at the Bank of Ireland, into reduced annuities of three pounds ten shillings per centum per annum.

c. 45.	*An Act the title of which begins with the words,*—An Act to authorise the issuing of exchequer bills,—*and ends with the words,*—reduced annuities of three pounds ten shillings per centum.
c. 53.	An Act to permit the mutual transfer of capital in certain public stocks or funds transferable at the Banks of England and Ireland respectively.
7 Geo. 4. c. 39.	An Act for funding eight millions of exchequer bills.
10 Geo. 4. c. 31.	An Act for funding three millions of exchequer bills.
11 Geo. 4. & 1 Will 4. c. 13.	An Act for transferring certain annuities of four pounds per centum per annum into annuities of three pounds and ten shillings or five pounds per centum per annum.
4 & 5 Will. 4. c. 31.	An Act for transferring certain annuities of four pounds per centum per annum into annuities of three pounds and ten shillings per centum per annum, and for providing for paying off the persons who may dissent to such transfer.
c. 80.	An Act to provide for the repayment to the governor and company of the Bank of England of one fourth part of the debt due from the public to the said company, in pursuance of an Act passed in the last session of Parliament.
7 Will. 4. & 1 Vict. c. 59.	An Act to postpone until the first day of January one thousand eight hundred and thirty-nine the repayment of certain sums advanced by the Bank of Ireland for the public service.
1 & 2 Vict. c. 81.	An Act further to postpone until the first day of January one thousand eight hundred and forty the repayment of certain sums advanced by the Bank of Ireland for the public service.
2 & 3 Vict. c. 97.	An Act for funding exchequer bills.
3 & 4 Vict. c. 75.	An Act to regulate the repayment of certain sums advanced by the governor and company of the Bank of Ireland for the public service.
5 Vict. c. 8.	An Act for funding exchequer bills, and for making provision for the service of the year one thousand eight hundred and forty-one.
7 & 8 Vict. c. 4.	An Act for transferring three pounds ten shillings per centum per annum annuities one thousand eight hundred and eighteen into annuities of three pounds five shillings per centum per annum and new three pounds per centum per annum annuities.
c. 5.	An Act for transferring certain annuities of three pounds ten shillings per centum per annum and government debentures into annuities of three pounds five shillings per centum per annum and new three pounds per centum per annum annuities.
c. 39.	An Act to exempt from the payment of property tax the dividends on certain annuities of three pounds ten shillings per centum per annum payable for the quarter of the year ending the tenth day of October one thousand eight hundred and forty-four.
c. 64.	An Act to provide for paying off such of the three pounds ten shillings per centum annuities and government debentures which are to be paid off under two Acts passed in the present session of Parliament.
c. 80.	*An Act the title of which begins with the words,*—An Act for completing the guarantee fund of the South Sea Company,—*and ends with the words,*—South Sea stock and annuities.
8 & 9 Vict. c. 62.	An Act to make further provisions as to stock and dividends unclaimed.
c. 97.	An Act to amend the law respecting testamentary dispositions of property in the public funds, and to authorize the payment of dividends on letters of attorney in certain cases.

9 & 10 Vict. c. 8.	An Act to make further provisions as to unclaimed stock and dividends of the South Sea Company.
10 & 11 Vict. c. 9.	An Act for raising the sum of eight millions by way of annuities.
11 & 12 Vict. c. 125.	An Act for raising the sum of two millions by exchequer bills, or by the creation of annuities, for the service of the year one thousand eight hundred and forty-eight.
16 & 17 Vict. c. 23.	*An Act the title of which begins with the words,*—An Act for redeeming or commuting the annuity,—*and ends with the words,*—and issuing exchequer bonds.
c. 132.	*An Act the title of which begins with the words,*—An Act to extend the provisions of an Act,—*and ends with the words,*—payments to be made under the said Act.
18 & 19 Vict. c. 18.	An Act for raising the sum of sixteen millions by way of annuities.
19 & 20 Vict. c. 5.	An Act for funding exchequer bills and raising money by way of annuities.
c. 6.	An Act for raising five millions by way of annuities.
c. 21.	An Act for raising the further sum of five millions by way of annuities.
21 & 22 Vict. c. 1.	An Act to indemnify the governor and company of the Bank of England in respect of certain issues of their notes, and to confirm such issues, and to authorize further issues for a time to be limited.
23 & 24 Vict. c. 71.	An Act to make provision as to stock and dividends unclaimed in Ireland.
24 & 25 Vict. c. 3. in part.	An Act to make further provision respecting certain payments to and from the Bank of England, and to increase the facilities for the transfer of stocks and annuities, and for other purposes - - - - } in part; namely,— Sections one, seven and eight.
c. 35.	*An Act the title of which begins with the words,*—An Act to increase the facilities for the transfer of stocks,—*and ends with the words,*—and for other purposes.
25 & 26 Vict. c. 21.	An Act to amend the law relating to the transfer of stocks and annuities transferable at the Bank of Ireland.
26 & 27 Vict. c. 28.	Stock Certificate Act, 1863.
c. 33. in part.	An Act for granting to Her Majesty certain duties of inland revenue; and to amend the laws relating to the inland revenue - - - - } in part; namely,— Section twenty-four.
29 & 30 Vict. c. 11. in part.	The National Debt Reduction Act, 1866. In part; namely,— Section two.
32 & 33 Vict. c. 104.	The Dividends and Stock Act, 1869.
33 & 34 Vict. c.	The Dividends and Stock Act, 1870:— Except as to any payment on 5th January 1871 in respect of dividend.

ACTS OF THE PARLIAMENT OF IRELAND.

13 & 14 Geo. 3. c. 5.	An Act for granting annuities in the manner therein provided to such persons, as shall voluntarily subscribe towards the raising a sum not exceeding the sum of two hundred and sixty five thousand pounds.
c. 7.	An Act to explain and amend an Act passed in this session of Parliament, entitled, An Act for granting annuities in the manner therein provided to such persons as shall voluntarily subscribe towards the raising a sum not exceeding the sum of two hundred and sixty five thousand pounds.

15 & 16 Geo. 3. c. 2.	An Act for granting annuities in the manner therein provided to such persons as shall voluntarily subscribe towards the raising a sum not exceeding the sum of one hundred and seventy five thousand pounds.
37 Geo. 3. c. 54.	An Act to enable the proprietors of debentures issued by Government, to convert them into stock, transferable at the Bank of Ireland.

A

BILL

For further promoting the revision of the Statute Law by repealing certain enactments that have ceased to be in force or are consolidated by certain Acts of the present Session.

(*Prepared and brought in by Mr. Stansfeld and Mr. Chancellor of the Exchequer.*)

Ordered, by the House of Commons, *to be Printed,* 12 *July* 1870.

[Bill 215.]

Under 3 *oz.*

Statute Law Revision (Ireland).

A

B I L L

For promoting the Revision of the Statute Law by repealing certain Enactments which have ceased to be in force or have become unnecessary in Ireland.

(*Not Printed.*)

[Bill 264.]

A

B I L L

TO

Provide for the Improvement, Protection, and Management of Commons and Waste Lands near Cities and Towns in England. A.D. 1870.

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited as "The Suburban Commons Act, 1870."

Interpretation of terms.

2. In this Act—

The term "Common" means any such land as is described or mentioned in section eleven or section fifteen of the General Act to facilitate the inclosure and improvement of Commons passed in the session of the eighth and ninth years of Her Majesty's reign (chapter one hundred and eighteen); the term "Suburban Common" means any Common within the distances herein-after mentioned of a city or town of England; the term "Commoner" means a person having any right of Common; the term "Manor" includes reputed Manor, and those terms as used in this Act respectively refer to any particular Common to which this Act applies, and to every person having a right of Common in, over, or affecting that Common, and to the Manor (if any) of the wastes whereof that Common is part:

The term "The Commissioners" means the Inclosure Commissioners for England and Wales, and the term "Assistant Commissioner" means the assistant commissioner appointed by the Inclosure Commissioners.

To what Commons Act applies.

3. This Act shall apply to any Common (not being a Metropolitan Common, as defined by the Metropolitan Commons Act, 1866, or any Act amending the same) the whole or any part whereof is situate within one mile of any city or town in England of five thousand inhabitants or upwards, or within two miles of any city or

A.D. 1870.

town in England of seven thousand inhabitants or upwards, or within three miles of any city or town in England of ten thousand inhabitants or upwards, or within four miles of any city or town in England of twenty thousand inhabitants or upwards, or within five miles of any city or town in England of fifty thousand inhabitants or upwards, or within six miles of any city or town in England of one hundred thousand inhabitants or upwards, and in every such case the number of inhabitants shall be ascertained by the last census for the time being, and the distance shall be measured in a direct line from the Town Hall, and if there be none then from the cathedral or parochial church, or if there are more than one such church, then from the principal market place of the city or town; and if a doubt arises whether any Common is within the description aforesaid or not, the same shall be determined by the Inclosure Commissioners for England and Wales.

Conclusion of authority of Commissioners to inclose, &c.

4. After the *passing of this Act* the Commissioners shall not entertain an application for the inclosure of a Suburban Common or any part thereof, but nothing in this Act shall interfere with the carrying on and completion of proceedings under any Provisional Order of the Commissioners confirmed by Act of Parliament passed before or in the present session; and notwithstanding any proceedings taken under any Act other than this Act, or any Provisional Order of the Commissioners made but not already confirmed by Act of Parliament, proceedings may be taken under this Act in relation to any Suburban Common.

Memorial for scheme as to Common.

5. A scheme for the establishment of local management with a view to the expenditure of money on the drainage, levelling, and improvement of a Suburban Common, or any part thereof, and to the making of byelaws and regulations for the prevention of nuisances and the preservation of order thereon, and for the preservation of the surface and of the natural products thereof, may be made under this Act, on a memorial in that behalf presented to the Commissioners by the lord of the manor, or by any commoners, or by ten or more ratepayers of the parish or parishes in which the Common is situate.

Verification of memorial.

6. The facts in such memorial shall be verified by affidavit to be filed in the High Court of Chancery in the matter of this Act and of the Common to be affected by the scheme, and an office copy of such affidavit shall be deposited with the Commissioners on the presentation of the memorial.

Preparation of draft scheme.

7. On the presentation of the memorial the Commissioners (if on consideration thereof it shall appear to them to show a fit and proper case for the making of a scheme under this Act) shall pre-

pare the draft of a scheme respecting the Common, or any part thereof, and shall cause such draft to be printed, and printed copies of it to be delivered to the memorialists and to the lord of the manor, and shall also cause it, or a proper abstract of it, to be published and circulated in such manner as they think sufficient for giving information to all parties interested. A.D. 1870. Printing and publication of draft scheme.

8. During *two months* after the first publication of the draft of a scheme the Commissioners shall receive any objections and suggestions made to them in writing respecting the scheme. Objections and suggestions respecting scheme.

9. At any time after the expiration of those *two months* the Commissioners, if they think fit, may refer the draft of the scheme to an Assistant Commissioner. Inquiry into scheme by public sittings.

On any such reference the Assistant Commissioner shall proceed to make an inquiry concerning the subject matter of the scheme, and for that purpose to hold a sitting or sittings in some convenient place in the neighbourhood of the Common, and thereat to take and receive any evidence and information offered, and hear and inquire into any objections or suggestions made or to be made during the sitting or sittings, respecting the scheme or the Common, with power from time to time to adjourn any sitting.

Notice shall be published in such manner as the Commissioners direct of every such sitting (except an adjourned sitting) *fourteen days* at least before the holding thereof.

10. The Assistant Commissioner to whom the draft of a scheme is referred shall make a report in writing to the Commissioners, setting forth the result of the inquiry, and whether in his opinion the draft of a scheme should be approved with or without alteration, and if with any, then with what alteration, and his reasons for the same, and the objections and suggestions, if any, made on the inquiry and his opinion thereon. The report of Assistant Commissioner.

11. As soon as may be after the expiration of the said *two months* or the receipt by the Commissioners of the report of the Assistant Commissioner (as the case may be), the Commissioners shall proceed to consider any objections or suggestions made to them in writing respecting the scheme, and the report (if any), and thereupon they shall, if they think fit, finally settle and approve of the scheme in such form as they think expedient. Final settlement and approval of scheme.

12. Every scheme shall contain a saving clause for estates, interests, and rights of a profitable or beneficial nature in, over, or affecting the Common to which the scheme relates, in the words set forth in the schedule to this Act, with such variations as circum- Scheme to contain saving clause.

A.D. 1870.

stances require, or in words being to the like effect in the judgment of the Commissioners.

Reference to Commissioners of differences as to bye-laws, &c.

13. If any difference arises between the conservators or other managing body acting under a scheme, and any lord of a manor or other person having any estate or interest in the soil of a Common, or any commoner or other person whomsoever with respect to the framing by the conservators or other managing body, or the execution or operation of byelaws or regulations for the prevention of nuisances or the preservation of order on the Common, or for preventing the deposit of rubbish thereon, or the unlawful taking, cutting, felling, or sale thereon or therefrom, of turf sods, bog earth, gravel, sand, loam, clay, gorse, furze, fern, brushwood, trees, or other things, or for regulating the lawful taking of the same profits, or any of them, then and in every such case such difference shall by virtue of this Act stand referred to the Commissioners, whose decision thereon shall be final and binding, and the costs of every such reference shall be in the discretion of the Commissioners.

Power for Commissioners to proceed notwithstanding litigation.

14. The Commissioners may proceed on a memorial under this Act notwithstanding that disputes exist, or an action or suit or other proceeding at law or in equity is pending, relative to any right claimed by any person or class of persons in relation to the Common to which the memorial relates, and every such dispute, action, suit, and proceeding shall remain unaffected by any proceeding of the Commissioners on the memorial, or any scheme made by them, or any Act of Parliament confirming the same, and may be carried on and settled or determined accordingly as if this Act had not been passed, or as if no proceeding had been taken or scheme made or confirmed in relation to the Common.

Printing and sale of scheme.

15. Every scheme shall contain a provision for the sale at all times of printed copies thereof, to all persons desiring to buy the same, at a price not exceeding a reasonable sum to be fixed by the scheme.

Scheme when approved to be certified.

16. Every scheme when approved by the Commissioners shall be certified by them and sealed with the common seal.

Publication of scheme.

17. Where the Commissioners certify a scheme they shall cause printed copies of it to be delivered to the memorialists and to the lord of the manor, and shall also cause it or a proper abstract of it to be published and circulated in such manner as they think sufficient for giving information to all parties interested.

Annual report to be laid before Houses of Parliament.

18. The Commissioners shall in every year make one or more separate reports to Her Majesty of their proceedings under this Act. The report shall be laid before both Houses of Parliament within four-

teen days after the making thereof if Parliament is then sitting, and if not, then within fourteen days after the next meeting of Parliament.

Contents of report.

19. The Commissioners in every such report shall set forth in full every scheme certified by them during the time to which the report relates, and shall state the grounds of their approval thereof and the objections, if any, made thereto and overruled, and all proceedings had in respect of those objections and the grounds on which they were overruled.

Confirmation of scheme by Act of Parliament.

20. A scheme certified by the Commissioners shall not of itself have any operation, but the same shall have full operation when and as confirmed by Act of Parliament, with such modifications, if any, as to Parliament seem fit.

Reference of scheme to select committee if opposed.

21. If in the progress through Parliament of a Bill confirming any scheme certified by the Commissioners a petition is presented to either House of Parliament against the scheme, the Bill as far as it relates to the scheme petitioned against may be referred to a select committee, and the petitioner shall be allowed to appear and oppose as in the case of a Private Bill.

Expenses of scheme to be defrayed by memorialists.

22. All expenses incurred by the Commissioners in relation to any memorial, or to any scheme consequent thereon, shall be defrayed by the memorialists, or by any ratepayers or inhabitants of the parish, city, or town in or near which the Common is situate, or by any board or authority having power to levy rates in the city or town near which the Common is situate, if willing and offering to defray the same; and the Commissioners may, if they think fit, on or at any time after the presentation of the memorial, require the memorialists or those ratepayers or inhabitants, or any of them, or such board or authority as before described having offered as aforesaid (as the case may be) to pay to the said Commissioners such sum as the Commissioners think requisite for or on account of those expenses, or to give security to the satisfaction of the Commissioners for the payment of the expenses on demand.

Power for local authority to contribute for purposes of scheme.

23. Any board or other authority having power to levy rates in the city or town near which a Suburban Common is situate may in relation to that Common contribute such amount as they think fit (in a gross sum or by annual payments or otherwise) towards the expenses of executing any scheme under this Act when confirmed by Act of Parliament.

Amendment of schemes.

24. The Commissioners may from time to time approve and certify a scheme for amending any scheme confirmed by Act of Parliament, and all the provisions of this Act relative to an original scheme shall apply also to an amending scheme, *mutatis mutandis*.

A.D. 1870.

Provision for cases of disability.

25. Where any lord of a manor, commoner, or other person having an estate, interest, or right in, over, or affecting a Common is under the disability of infancy, lunacy, or coverture, or other legal disability, or is beyond the seas, his or her guardian, trustee, committee of the estate, husband, or attorney (as the case requires), or in default thereof a person nominated in that behalf by the Commissioners under their common seal (which nomination they are hereby empowered to make as occasion requires), shall for the purposes of this Act be deemed to be substituted in the place of such lord, commoner, or other person.

Power for lord of manor, &c. to appoint agent.

26. Any lord of a manor, commoner, or other person having any estate, interest, or right in, over, or affecting a Common may, by a power of attorney, in writing under his hand (which shall be exempt from stamp duty) appoint an agent to act for him for the purposes of any memorial or scheme under this Act.

All things by this Act directed or authorized to be done by or with relation to any lord of a manor, commoner, or other person as aforesaid may be lawfully done by or with relation to his agent so appointed.

Every such agent may, in the name and on behalf of his principal, sign, concur in, and execute any memorial or act, or signify consent or dissent on any matter arising out of the execution of this Act.

Every person shall be bound by the acts of any such agent, according to the authority committed to him, as fully as if the principal had himself acted.

Every such power of attorney, or a copy thereof examined and authenticated as a true copy by the signature of a witness or witnesses, shall be deposited with the Commissioners.

Any such power of attorney may be in the form given in the second schedule to this Act, or to the like effect.

Provision for conveyance to Commissioners.

9 G. 2. c. 36.

27. Where any estate, interest, or right in, over, or affecting a Common is by deed conveyed for the purposes of a scheme under this Act with the approval of the Commissioners, the provisions of the Act of the ninth year of the reign of King George the Second (chapter thirty-six), "to restrain the disposition of lands, "whereby the same becomes unalienable," shall not apply to the conveyance.

28. This Act shall not extend to Wales.

SCHEDULES.

THE FIRST SCHEDULE.

Saving Clause to be inserted in every scheme.

Saving always to all persons and bodies, politic and corporate, and to their respective heirs, successors, executors, and administrators, all such estates, interests, and rights of a profitable or beneficial nature in, over, or affecting Common, or any part thereof, as they or any of them had before the confirmation of this scheme by Act of Parliament, or could or might have enjoyed if this scheme had not been confirmed by Act of Parliament.

THE SECOND SCHEDULE.

Form of Power of Attorney.

The Suburban Commons Act, 1870.

I, *A.B.*, of in pursuance of the above-mentioned Act appoint of to be my agent for all the purposes of that Act (*or for a specified purpose under the Act*).

Dated this day of 18 .

(Signed) *A.B.*

Witness, *C.D.*

A

BILL

To provide for the Improvement, Protection, and Management of Commons and Waste Lands near Cities and Towns in England.

(*Prepared and brought in by Mr. Cowper-Temple and Mr. Buxton.*)

Ordered, by The House of Commons, *to be Printed,* 22 *February* 1870.

[Bill 41.]

Under 1 *oz.*

A

B I L L

TO

Alter certain Duties of Customs upon Refined Sugar in the Isle of Man. A.D. 1870.

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Title of Act.

1. This Act may be cited as "The Customs Refined Sugar Duties (Isle of Man) Act, 1870."

Alteration of duties.

2. After the *passing of this Act*, in lieu of the duty of six shillings the hundredweight, now payable on sugar candy, white or brown, refined sugar, or sugar rendered by any process equal to refined, foreign or British, on the importation thereof into the Isle of Man, there shall be paid the duty of *four shillings* the hundredweight; and so much of the Act of the session of the twenty-ninth Victoria, chapter twenty-three, as imposed the said duty of six shillings the hundredweight is hereby repealed.

Sugar Duties
(Isle of Man).

A

BILL

To alter certain Duties of Customs upon Refined Sugar in the Isle of Man.

(*Prepared and brought in by Mr. Stansfeld, Mr. Chancellor of the Exchequer, and Mr. William Henry Gladstone.*)

Ordered, by The House of Commons, *to be Printed*, 7 *July* 1870.

[Bill 203.]

Under 1 *oz.*

581

A

B I L L

TO

Amend the Law relating to First Convictions for certain Offences. A.D. 1870.

WHEREAS it is expedient to enlarge the discretionary power of Justices of the Peace on summary convictions in certain cases:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

On certain first convictions the Justice may discharge offender on his making satisfaction.

1. Where any person shall after the *passing of this Act* be summarily convicted before a Justice of the Peace of any offence under the eighteenth and nineteenth of Victoria, chapter one hundred and twenty-six, and it shall be a first conviction, the Justice may, if he shall so think fit, discharge the offender from his conviction upon his making such satisfaction to the party aggrieved for damages and costs, or either of them, as shall be ascertained by the Justice.

Extent of Act.

2. This Act shall not extend to Scotland.

A

BILL

To amend the Law relating to First Convictions for certain Offences.

(*Prepared and brought in by Mr. Denman, Mr. Cross, and Mr. Hibbert.*)

Ordered, by The House of Commons, *to be Printed,* 25 *February* 1870.

[Bill 50.]

Under 1 *oz.*

A

B I L L

INTITULED

An Act to amend the law relating to selling and hawking and delivering goods on the Lord's Day commonly called Sunday. A.D. 1870.

WHEREAS the practice of Sunday trading prevails extensively in various parts of England, and the law is insufficient to prevent the same:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Penalties for selling, offering, and exposing for sale.

1. Any person who shall on Sunday hawk, cry, sell, offer, or expose for sale, or deliver in the way of trade, or cause to be hawked, cried, sold, offered, or exposed for sale, or so delivered, any goods, wares, merchandise, or other thing whatsoever (except as herein-after excepted), and shall be convicted thereof before a police or stipendiary magistrate, or before any two justices of the peace, shall forfeit and pay for every such offence any sum not exceeding twenty shillings, as shall be adjudged by such magistrate or justices: Provided always, that no person who has not before been convicted of any offence against this Act shall be liable to more than one penalty for any offence against this Act committed on one and the same day.

Certain cases to which this Act does not apply.

2. The provisions of this Act shall not apply—

To the selling, offering, or exposing for sale on the premises of the trader, or to the delivery, of any article or thing for medicinal purposes;

Nor to the selling, offering, or exposing for sale without public cry, nor to the delivery, of any butcher's meat, fish, poultry, game, or vegetables before the hour of ten o'clock in the morning;

[Bill 68.]

A.D. 1870.

Nor to the selling, offering, or exposing for sale, nor to the hawking, nor to the delivery, of any milk or cream before the hour of ten o'clock in the morning or after the hour of one o'clock in the afternoon;

Nor to the selling, offering, or exposing for sale on the premises, and without public cry, of any pastry, fruit, or any beverage which may lawfully be sold without a licence before the hour of ten o'clock in the morning and after the hour of one o'clock in the afternoon;

Nor to the selling, offering, or exposing for sale on the premises and without public cry, nor to the delivery, of any newspaper before the hour of ten o'clock in the morning, nor to the exercise of the business of a hairdresser or barber before the hour of ten o'clock in the morning;

Nor to the exercise of the ordinary business of the keeper of a cook shop, eating house, or coffee house, before the hour of ten o'clock in the morning and after the hour of one o'clock in the afternoon;

Nor to the exercise of the ordinary and lawful business of a baker, licensed victualler, or keeper of any inn, tavern, hotel, public house, house licensed for the sale of beer or of exciseable liquors.

Provisions as to distinct and separate offences.

3. If any person, having been once convicted of an offence against this Act, shall be again convicted by any magistrate or justices of the peace of any such offence, such person shall for every such subsequent offence forfeit and pay any sum not exceeding forty shillings for every separate act of selling, offering, or exposing for sale or delivery, and for every separate act of carrying on any business as aforesaid, on one and the same day, as shall be adjudged by such magistrate or justices, or in default of payment shall be liable to imprisonment for a term not exceeding one month.

Proof of previous conviction.

4. In all cases in which it shall be sought to prove any previous conviction against any person under this Act, a certificate, containing the substance and effect only (omitting the formal part) of the record of the conviction of the previous offence, purporting to be signed by the proper officer having the custody of such record of conviction, or a certificate of such previous conviction purporting to be signed by the person who shall have acted as clerk to the justices or magistrate before whom such previous conviction shall have taken place, shall, upon proof of the identity of the person of the offender, be sufficient evidence of the previous conviction, without proof of the signature or official character of the person

appearing to have signed the same; and if any person whatsoever shall wilfully and knowingly utter a false certificate of a conviction for a previous offence against this Act, or if any other person, other than such proper officer or person acting as such clerk, shall sign such certificate as such proper officer or person acting as clerk, every person so offending shall be guilty of a misdemeanor, and being convicted thereof shall be liable to imprisonment, with or without hard labour, for any period not exceeding six months.

Appropriations of penalties.

5. All penalties or sums of money ordered and adjudged within the city of London or liberties thereof to be paid under this Act, and not otherwise appropriated, shall be payable to the chamberlain of the city of London, in aid of the funds of the said city, or within the limits of the Metropolitan District to the receiver of the Metropolitan Police; and all penalties or sums of money ordered and adjudged within any county, city, borough, district, or place to be paid under this Act, and not otherwise appropriated, shall be payable to the treasurer of such county, city, or borough, or other person duly authorized to receive the same, in aid of the funds of the said county, city, borough, district, or place.

Limitations of proceedings.

6. All prosecutions for offences punishable by this Act shall be commenced within seven days next after the commission of the offence, and not afterwards.

Convictions to set forth Act.

7. All convictions obtained under this present Act shall expressly refer to the same.

Places to which the Act shall not apply.

8. This Act shall apply to such cities, towns, or hamlets only as by the last or any subsequent census shall be represented to contain a population of ten thousand persons.

Limitation of the Act.

9. This Act shall apply to England only.

10. Nothing herein contained shall repeal or alter the Act of the twenty-ninth year of King Charles the Second, chapter seven, except so far as it applies to such cities, towns, or hamlets as are included in this Act.

Commencement of Act.

11. This Act shall come into operation on the seventeenth day of October one thousand eight hundred and seventy.

A

BILL

INTITULED

An Act to amend the law relating to selling and hawking and delivering goods on the Lord's Day commonly called Sunday.

(*Brought from the Lords* 4 *March* 1870.)

Ordered, by The House of Commons, *to be Printed*, 8 *March* 1870.

[Bill 68.]

Under 1 *oz.*

A

B I L L

TO

Amend the Law relating to the Surveys of Great Britain, Ireland, and the Isle of Man. A.D. 1870.

WHEREAS by an Act of the sixth year of King George the Fourth, chapter ninety-nine, intituled "An Act to repeal an "Act of the last session of Parliament relative to the forming "tables of manors, parishes, and townlands in Ireland, and to "make provision for ascertaining the boundaries of the same," and by an Act of the seventeenth and eighteenth years of the reign of Her present Majesty, chapter seventeen, intituled "An Act to make "further provision for defining the boundaries of counties, baronies, "half baronies, parishes, townlands, and other divisions and denominations of land in Ireland for public purposes," (which Acts are in this Act referred to as the Survey (Ireland) Acts), certain powers for the purpose of making and carrying on any survey authorized by those Acts or by the order of the Master General and Board of Ordnance were given to the Master General and Board of Ordnance, and to officers and other persons appointed by or acting under the orders of the Master General and Board of Ordnance:

6 Geo. 4. c. 99.

17 & 18 Vict. c. 17.

And whereas all the powers and authorities of the principal officers of Her Majesty's Ordnance were, by an Act of the session of the eighteenth and nineteenth years of the reign of Her present Majesty, chapter one hundered and seventeen, intituled "An Act "for transferring to one of Her Majesty's Principal Secretaries "of State the powers and estates vested in the principal officers "of the Ordnance," transferred to Her Majesty's Secretary of State for the War Department:

18 & 19 Vict. c. 117.

And whereas by the Act of the session of the fourth and fifth years of the reign of Her present Majesty, chapter thirty, inintituled "An Act to authorize and facilitate the completion of a "survey of Great Britain, Berwick-upon-Tweed, and the Isle of

4 & 5 Vict. c. 30.

A.D. 1870.

"Man," (in this Act referred to as the Survey (Great Britain) Act,) as continued by subsequent Acts, certain powers for the purpose of making such survey were given to the Master General and Board of Ordnance, and to officers and other persons appointed by or acting under the orders of the Master General and Board of Ordnance:

And whereas the powers given by the last-mentioned Act to the Master General and Board of Ordnance were by an Act of the session of the nineteenth and twentieth years of the reign of Her present Majesty, chapter sixty-one, intituled "An Act to continue "an Act for the Survey of Great Britain, Berwick-upon-Tweed, "and the Isle of Man," transferred to Her Majesty's Principal Secretary of State for the War Department:

19 & 20 Vict. c. 61.

And whereas it is expedient to place the said surveys under the superintendence of the Commissioners for the time being of Her Majesty's Works and Public Buildings:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited as the Survey Act, 1870.

Construction of Act.

2. This Act shall be construed as one, so far as it relates to Ireland with the Survey (Ireland) Acts, and so far as it relates to Great Britain and the Isle of Man with the Survey (Great Britain) Act, and the Survey (Ireland) Acts, together with this Act, may be cited together as the Survey (Ireland) Acts, 1825 to 1870, and the Survey (Great Britain) Act, together with this Act, may be cited as the Survey (Great Britain) Acts, 1841 and 1870.

Transfer of powers to Commissioners of Works.

3. All the powers, authorities, and things which under the Survey (Ireland) Acts, or the Survey (Great Britain) Act are, or, but for the transfer to Her Majesty's Principal Secretary of State for the War Department would be, vested in or capable of being exercised and done by the Master General and Board of Ordnance shall, after *the passing of this Act*, be vested in and capable of being exercised and done by the Commissioners of Her Majesty's Works and Public Buildings, and not by the said Secretary of State, and those Acts shall be construed as if the Commissioners of Her Majesty's Works and Public Buildings were substituted throughout for the Master General and Board of Ordnance.

Every officer and other person who has been appointed before the passing of this Act by the Master General and Board of Ordnance, or Her Majesty's Principal Secretary of State for the

War Department, for the purpose of the said Acts or any of them, shall be deemed to have been appointed by the Commissioners of Her Majesty's Works and Public Buildings. A.D. 1870.

4. The Acts mentioned in the schedule to this Act are hereby repealed, without prejudice to anything already done or suffered. Repeal.

5. This Act, so far as it relates to Great Britain and the Isle of Man, shall not (except as regards the repeal, which is perpetual,) continue in force for any longer time than the Survey (Great Britain) Act. Continuance of Act.

SCHEDULE.

Year and Chapter.	Title.
45 Geo. 3. c. 109. -	An Act to amend so much of an Act for granting to His Majesty several sums of money for defraying the charge of certain permanent services in Ireland as relates to the military survey of Ireland.
19 & 20 Vict. c. 61. -	An Act to continue an Act for the survey of Great Britain, Berwick-upon-Tweed, and the Isle of Man.

A

BILL

To amend the Law relating to the Surveys of Great Britain, Ireland, and the Isle of Man.

(*Prepared and brought in by Mr. Ayrton and Mr. Secretary Cardwell.*)

Ordered, by The House of Commons, *to be Printed,* 28 *March* 1870.

[Bill 90.]

Under 1 *oz.*

Tramways Bill.

ARRANGEMENT OF CLAUSES.

Preliminary.

Clauses.
1. Short title.
2. Limitation of Act.
3. Interpretation of terms.

PART I.

Certificates authorizing the Construction of Tramways.

4. By whom certificates authorizing construction of tramways may be obtained.
5. Promoters to have power of sale.
6. Cesser of powers at expiration of prescribed time.
7. Local authority may lease or take tolls.
8. Proceedings previous to construction of tramway.
9. Draft certificate to be laid before Houses of Parliament.
10. Promoters to deposit per cent. on estimate in prescribed bank.
11. Incorporation of Lands Clauses Acts in certificate, except provisions giving compulsory powers, &c.
12. Certificate.
13. Power to Board of Trade to amend or revoke certificate.
14. Power to correct error.
15. How expenses to be defrayed.

PART II.

Construction of Tramways.

16. Mode of formation of tramways.
17. Power to break up streets, &c.
18. Completion of works and reinstatement of road.
19. Repair of part of road where tramway is laid.
20. Provision as to gas and water companies.
21. For protection of sewers, &c.
22. Rights of authorities and companies, &c. to open roads.
23. Difference between promoters and road authority, &c.

PART III.

General Provisions.

Carriages.

Clauses.

24. Power for promoters to use tramways with flange-wheeled carriages, &c.

Licences to use Tramways.

25. Licences to use the tramway may in certain events be granted to third parties by the Board of Trade.
26. In default of payment of tolls licensee's carriages may be detained and sold.
27. Licensees to give account of passengers carried by them.
28. Licensees not giving account of passengers carried liable to penalty.
29. Disputes as to amount of toll to be settled by justice.
30. Owners of carriages liable for damage done by their servants.

Agreements for use of Tramways.

31. Authorizing agreements for use of tramways.

Purchase of Tramways.

32. Future purchase of undertaking by local authority.

Discontinuance of Tramways.

33. Tramways to be removed in certain cases.

Tolls.

34. Tolls, &c. in schedule.
35. Power for Board of Trade to vary tolls, &c.

Byelaws.

36. Promoters may make byelaws.
37. Board of Trade may disallow byelaws.
38. Board of Trade may make additional byelaws.
39. Penalties in byelaws.

Offences.

Clauses.

40. Penalty for obstruction of promoters in laying out tramway.
41. Penalties for wilful injury or obstruction to tramways, &c.
42. Penalty on passengers practising frauds on the promoters.
43. Transient offenders.
44. Penalty for bringing dangerous goods on the tramway.
45. Penalty for persons using tramways with carriages with flange wheels, &c.

Miscellaneous.

46. Promoters or lessees to be responsible for all damages.
47. Recovery of tolls, penalties, &c.
48. Right of user only.
49. Reserving powers of street authorities to widen, &c. roads.
50. Power for police authorities to regulate traffic in roads.
51. Reservation of right of public to use roads.
52. Regulating inquiries before referee appointed by the Board of Trade.
53. Rules for carrying Act into effect.

A

B I L L

TO

Facilitate the construction and to regulate the working of Tramways. A.D. 1870.

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

Preliminary.

Short title.

1. This Act may be cited for all purposes as "The Tramways Act, 1870."

Limitation of Act.

2. This Act shall not extend to Ireland or Scotland.

Interpretation of terms.

3. For the purposes of this Act the terms herein-after mentioned shall have the meanings herein-after assigned to them; that is to say :—

The terms "local authority" and "local rate" shall mean respectively the bodies of persons and rate named in the table in the schedule A to this Act annexed: And the said table and the notes relating to the same shall be of the same force as if enacted in the body of this Act:

The term "road" shall mean any carriageway being a public highway, and any bridge forming part of the same :

The term "road authority" shall mean any local authority, board, town council, body corporate, commissioners, trustees, vestry, or other body or persons in whom a road as defined by this Act is vested, or who have the power to maintain or repair such road :

The term "district," in relation to a local authority or road authority, shall mean the area within the jurisdiction of such local authority or road authority :

The term "prescribed" shall mean prescribed by any rules made in pursuance of this Act.

A.D. 1870.

PART I.

Certificates authorizing the Construction of Tramways.

By whom certificates authorizing construction of tramways may be obtained.

4. Certificates authorizing the construction of tramways under the authority of this Act may be obtained in any district; by—

(1.) The local authority with the consent of the ratepayers in such district; or by—

(2.) Any person, persons, corporation, or company, with the consent of the local authority of such district:

And any such authority, person, persons, corporation, or company shall be deemed to be promoters of a tramway, and are in this Act referred to as "the promoters."

The consent of the ratepayers of any district to the making of any tramway shall be testified by a resolution passed by a majority of such ratepayers assembled at a meeting convened in the prescribed manner for the purpose of taking into consideration the advisability of making such tramway.

Where in any district there is a road authority distinct from the local authority, the consent of such road authority shall also be necessary before any certificate can be obtained.

Promoters to have power of sale.

5. The promoters empowered by any certificate under this Act to make a tramway in any district may, where they are the local authority, and where they are not any such authority they may with the consent of the local authority, within two years from the date of the certificate, unless a shorter period is prescribed therein, sell, transfer, and assign to any corporation, company, persons, or person the right to make such tramway, and all other rights, powers, and authorities given by the certificate, and thereupon all such rights, powers, and authorities shall be transferred to, vested in, and may be exercised by such corporation, company, persons or person, as if they had been the promoters specified in such certificate, and they shall for the purposes of this Act be deemed to be the promoters: Provided always, that such sale shall not be made without the consent in writing of the Board of Trade.

Cesser of powers at expiration of prescribed time.

6. If the promoters, empowered by any certificate under this Act to make a tramway, do not, within two years from the date of the certificate, or within any shorter period prescribed therein, complete the tramway and open it for public traffic; or,

If within one year from the date of the certificate, or within such shorter time as is prescribed in the certificate, the works are not substantially commenced; or,

If the works are commenced, but whilst the powers to carry them on exist are suspended without a reason sufficient in the opinion of the Board of Trade to warrant such suspension;

the powers given by the certificate to the promoters for constructing such tramway, executing such works, or otherwise in relation thereto shall cease to be exercised, except as to so much of the same as is then completed, unless the time be prolonged by the special direction of the Board of Trade.

A statement in writing by the Board of Trade to the effect that a tramway has not been completed and opened for public traffic, or that the works have not been substantially commenced, or that they have been suspended without sufficient reason, shall be conclusive evidence for the purposes of this section of such non-completion, non-commencement, or suspension.

Local authority may lease or take tolls.

7. When a tramway has been completed under the authority of a certificate under this Act by any local authority, such authority may, with the consent of the Board of Trade, and subject to the provisions of this Act, by lease demise to any person, persons, corporation, or company the right of user by such person, persons, corporation, or company of the tramway, and of demanding and taking in respect of the same the tolls and charges authorized; or such authority may leave such tramway open to be used by the public, and may in respect of such user demand and take the tolls and charges authorized; but nothing in this Act contained shall authorize any local authority to place or run carriages upon such tramway, or themselves to use the same for public traffic, and to demand and take tolls and charges in respect of the same.

Every such lease shall be made for a term or for terms not exceeding in the whole twenty-one years from the date of the certificate.

At the expiration of such term of twenty-one years, the local authority may, with the consent of the Board of Trade, by lease, demise such rights for such further term or terms as the said Board may approve.

Every such lease shall imply a condition of re-entry if at any time after the making of the same the lessees discontinue the working of the tramway leased, or of any part thereof, for the space of six calendar months (such discontinuance not being occasioned by circumstances beyond the control of such lessees).

The person, persons, corporation, or company to whom any such lease may be made are in this Act referred to as "lessees."

Proceedings previous to construction of tramway.

8. Previous to the construction of any tramway the promoters shall proceed in manner following; that is to say,

A.D. 1870.

(1.) They shall apply to the Board of Trade for a certificate under this Act:

(2.) They shall, within the prescribed time and in the prescribed manner, deposit at the prescribed place maps, plans, sections, and an estimate of the expense of the construction of the tramway, and lodge a draft of the certificate as proposed by them:

(3.) They shall publish notice of the application in the prescribed manner:

And thereupon the Board of Trade shall, in such manner and to such extent as shall seem to them sufficient, inquire—

Whether the promoters have duly complied with the requirements of this Act;

What may be the merits of such application and of any objection brought before them respecting the same.

When the Board of Trade have inquired into such matters, and have decided to proceed on such application, they may, if they think fit, settle a draft of a certificate according to the prescribed form, certifying to the effect that the promoters therein specified are authorized to make the tramway therein described, and to acquire, hold, and dispose of lands and other property for the purposes and subject to the restrictions therein contained, and (subject to the provisions of this Act) they may add to the draft certificate such provisions as, according to the circumstances of the case, they deem necessary or proper for better effectuating the purposes of the certificate, and the same shall be deemed to all intents part of the certificate.

Certificates under this Act shall not authorize the construction of tramways elsewhere than along or across a road, or upon land taken by agreement.

On the draft certificate being settled, the promoters shall give notice thereof in the prescribed manner.

Draft certificate to be laid before Houses of Parliament.

9. The Board of Trade shall lay any draft certificate settled by them before both Houses of Parliament within seven days after the same is settled, if Parliament is then sitting, and if not, then within seven days after the next meeting of Parliament, but not later in any year than the first day of June.

If either House of Parliament, within six weeks after such draft certificate is laid before that House, resolves that such certificate ought not to be made, the same shall not be further proceeded with.

If neither House of Parliament, within the period aforesaid, thinks fit to resolve that the certificate ought not to be made, then the Board of Trade may make and issue a certificate in conformity with such draft.

A.D. 1870.

10. After the certificate is ready, and before the same is issued by the Board of Trade, the promoters, unless they are a local authority, shall, within the prescribed time and in the prescribed manner, and subject to the prescribed conditions as to interest, repayment, or forfeiture, pay, as a deposit, into the prescribed bank, the sum of money prescribed, which shall not be less than per centum on the amount of the estimate by the promoters of the expense of the construction of the tramway, or deposit in such bank any security of the prescribed nature the then value of which is not less than such sum of money.

Promoters to deposit per cent. on estimate in prescribed bank.

11. "The Lands Clauses Consolidation Act, 1845," and "The Lands Clauses Consolidation Acts Amendment Act, 1860," shall be incorporated with the certificate (which shall for this purpose be deemed the special Act), except as may be therein excepted, and except as to the following provision, namely,—

(1.) With respect to the purchase and taking of lands otherwise than by agreement:

(2.) With respect to the entry upon lands by the promoters of the undertaking.

Incorporation of Lands Clauses Acts in certificate, except provisions giving compulsory powers, &c.

12. A copy of every certificate under this Act shall be published in the prescribed manner.

Every such certificate shall, from the date of such publication, have the same force and operation, and shall be as absolutely valid and conclusive to all intents, as if the contents thereof (taken in conjunction with this Act) had been expressly enacted by Parliament, and the validity of any such certificate shall not be impeached on account of any alleged informality in any court or elsewhere.

Proof of such certificate may be given in all courts of justice and legal proceedings in the mode provided by "The Documentary Evidence Act, 1868," in relation to proclamations, orders, or regulations issued by the Committee of Privy Council for Trade.

Every such certificate shall be judicially noticed without being specially pleaded. Terms used in the certificate shall have the same meanings as they have when used in this Act.

The promoters empowered by any certificate shall at all times keep at their head office printed copies of such certificate in such form as may be prescribed, to be sold to all persons desiring to buy the same, at a price not exceeding one shilling for each copy.

Certificate.

13. Subject and according to the restrictions and provisions of this Act, the Board of Trade, on the application of any promoters empowered by a certificate, may from time to time revoke, amend, extend, or vary by certificate any certificate previously made.

Power to Board of Trade to amend or revoke certificate.

A.D. 1870.

Every such application shall be made in like manner and with the like consent as the application for such previous certificate.

Power to correct error.

14. If in any case it is made to appear to the Board of Trade that any error has been committed in a certificate or in relation thereto, the Board of Trade may, subject and according to the restrictions and provisions of this Act, on the application of any corporation, company, body, or person affected by the error, and on notice to the promoters empowered by such certificate, correct the error by a further certificate.

How expenses to be defrayed.

15. Where the local authority in any district are the promoters of any tramway authorized by certificate under this Act, they shall pay all expenses incurred by them in carrying into effect the purposes of such certificate out of the local rate, and any such expenses shall be deemed to be purposes for which such local rate may be made, and to which the same may be applied.

Such local authority may, for the purposes of such certificate, borrow and take up at interest, on the credit of the local rate, any sums of money necessary for defraying any such expenses; and for the purpose of securing the repayment of any sums so borrowed, together with such interest as aforesaid, such local authority may mortgage to the persons by or on behalf of whom such sums are advanced the local rate; but the exercise of the above power shall be subject to the following reglations:

(1.) The money so borrowed shall not exceed such sum as may be sanctioned by the Board of Trade, and as shall be stated in the certificate.

(2.) The money may be borrowed for such time, not exceeding thirty years, as such local authority, with the sanction of the Board of Trade, determine; and, subject as aforesaid, such local authority may either pay off the moneys so borrowed by equal annual instalments, or they may in every year set apart as a sinking fund, and accumulate in the way of compound interest by investing the same in the purchase of exchequer bills or other government securities, such sum as will be sufficient to pay off the moneys so borrowed, or a part thereof, at such times as the local authority may determine.

Such local authority shall keep separate accounts of all moneys paid by them in carrying into effect any such certificate, and in the repayment of moneys borrowed, and of all moneys received by them by way of rent or tolls in respect of the tramway authorized thereby.

When, after payment of all charges incurred under the authority of this Act, and necessary for giving effect to such certificate, there shall be remaining in the hands of such local authority any of the moneys received by them by way of rent or tolls in respect of the tramway authorized by such certificate, such moneys shall be applied by them to the purposes for which the local rate may be by them applied.

Part II.

Construction of Tramways.

Mode of formation of tramways.

16. Every tramway to be made, formed, or laid down after the passing of this Act, whether authorized by certificate under this Act or by any Act of Parliament, shall be constructed of such width as may be prescribed, and shall be laid and maintained in such manner that the uppermost surface of the rail shall be on a level with the surface of the road, and shall not be opened for public traffic until the same has been inspected and certified to be fit for such traffic, in the prescribed manner.

Any person, persons, or company empowered otherwise than by certificate under this Act to form or lay any such tramway shall be deemed to be promoters of a tramway, and shall, as well as the promoters empowered by certificate under this Act, be subject to the provisions of Part II. and Part III. of this Act.

Power to break up streets, &c.

17. The promoters from time to time, for the purpose of making, forming, laying down, maintaining, and renewing any tramway duly authorized, or any part or parts thereof respectively, may open and break up any road, subject to the following regulations:

1. They shall give to the road authority notice of their intention, specifying the time at which they will begin to do so, and the portion of road proposed to be opened or broken up, such notice to be given seven days at least before the commencement of the work:
2. They shall not open or break up any road, except under the superintendence and to the reasonable satisfaction of the road authority, unless that authority refuses or neglects to give such superintendence at the time specified in the notice, or discontinues the same during the work:
3. They shall pay all reasonable expenses to which the road authority is put on account of such superintendence:
4. They shall not, without the consent of the road authority, open or break up at any one time a greater length than one hundred yards of any road which does not exceed a quarter

A.D. 1870.

of a mile in length, and in the case of any road exceeding a quarter of a mile in length the promoters shall leave an interval of at least a quarter of a mile between any two places at which they may open or break up the road, and they shall not open or break up at any such place a greater length than one hundred yards.

Completion of works and reinstatement of road.

18. When promoters have opened or broken up any portion of any road, they shall be under the following further obligations; namely,

1. They shall, with all convenient speed, and in all cases within six weeks at the most (unless the road authority otherwise consents in writing,) complete the work on account of which they opened or broke up the same, and (subject to the formation, maintenance, or renewal of the tramway) fill in the ground and make good the surface, and generally restore the portion of the road to as good condition as that in which it was before it was opened or broken up, and clear away all surplus paving or metalling material or rubbish occasioned thereby:
2. They shall in the meantime cause the place where the road is opened or broken up to be fenced and watched, and to be properly lighted at night:
3. They shall pay all reasonable expenses of the repair of the road for six months after the same is restored, as far as those expenses are increased by the opening or breaking up.

If the promoters aforesaid fail to comply in any respect with the provisions of the present section, they shall for every such offence (without prejudice to the enforcement of specific performance of the requirements of this Act or to any other remedy against them) be liable to a penalty not exceeding *twenty pounds*, and to a further penalty not exceeding *five pounds* for each day during which any such failure continues after the first day on which such penalty is incurred.

Repair of part of road where tramway is laid.

19. The promoters shall, at their own expense, at all times pave and keep paved in good condition and repair, with such materials and in such manner as the road authority shall direct, so much of any road whereon any tramway belonging to them is laid as lies between the rails of the tramway and (where two tramways are laid by the same promoters in any road at a distance of not more than four feet from each other) the portion of the road between the tramways, and in every case so much of the road as extends eighteen inches beyond the rails of and on each side of any such tramway: Provided

always, that if they fail to comply with the provisions of this section the road authority, if they think fit, may themselves at any time, after seven days notice to the promoters, open and break up the road, and do the works necessary for the paving, repair, and maintenance of the road, to the extent in this section above mentioned, and the expense incurred by the road authority in so doing shall be repaid to them by the promoters.

Provision as to gas and water companies.

20. For the purpose of making, forming, laying down, maintaining, repairing, or renewing any of their tramways, the promoters may from time to time, where and as far as it is necessary, alter the position of any mains or pipes for the supply of gas or water, or any tube, wires, or apparatus for telegraphic or other purposes, subject to the provisions of this Act, and also subject to the following restrictions; (that is to say,)

1. Before laying down a tramway in a road in which any such mains or pipes, tubes, wires or apparatus may be laid, the promoters shall give seven days notice to the company, persons, or person to whom such mains or pipes, tubes, wires, or apparatus may belong or by whom they are controlled, of their intention to lay down the tramway, and shall at the same time deliver a plan and section of the proposed work. If it should appear to any such company or person that the construction of the tramway as proposed would endanger the same or interfere with or impede the supply of water or gas or the telegraphic or other communication, such company or person (as the case may be) may give notice to the promoters to lower or otherwise alter the position of the said mains or pipes, tubes, wires, or apparatus in such manner as may be considered necessary, and any difference as to the necessity of any such lowering or alteration shall be settled in manner provided by this Act for the settlement of differences between the promoters and other companies or persons, and all alterations to be made under this section shall be made with as little detriment and inconvenience to the company or person to whom such mains or pipes, tubes, wires, or apparatus may belong, or by whom the same are controlled, or to the inhabitants of the district, as the circumstances will admit, and under the superintendence of such company or person or of their surveyor if they or he think fit to attend, after receiving not less than forty-eight hours notice for that purpose, which notice the promoters are hereby required to give:

2. The promoters shall not remove or displace any of the mains or pipes (other than private service pipes), valves, syphons,

A.D. 1870.

plugs, tubes, wires, or apparatus, or other works belonging to or controlled by any such company or person, or do anything to impede the passage of water or gas or the telegraphic or other communication into or through such mains or pipes, without the consent of such company or person, or in any other manner than such company or person shall approve, until good and sufficient mains, pipes, valves, syphons, plugs, and other works necessary or proper for continuing the supply of water or gas or telegraphic or other communication, as sufficiently as the same was supplied by the mains or pipes, tubes, wires, or apparatus proposed to be removed or displaced, shall at the expense of the promoters have been first made and laid down in lieu thereof and ready for use, and to the satisfaction of the surveyor or engineer of such water or gas or other company, or of such person, or, in case of disagreement between such surveyor or engineer and the promoters, as an engineer appointed by the Board of Trade shall direct:

3. The promoters shall not lay down any such pipes contrary to the regulations of any Act of Parliament relating to such water or gas or other company, or relating to telegraphs:

4. The promoters shall make good all damage done to the property of the water or gas or other company by the disturbance thereof, and shall make full compensation to all parties for any loss or damage which they may sustain by reason of any interference with the mains, pipes, or works of such water or gas company, or with the private service pipes of any person supplied by them with water:

5. If by any such operations as aforesaid the promoters interrupt the supply of any water or gas in or through any main or main pipe they shall be liable to a penalty not exceeding *twenty pounds* for every day upon which such supply shall be so interrupted.

For protection of sewers, &c.

21. Where in any district any tramway passes over, under, or by the side of, or so as to interfere with, any sewer, drain, watercourse, defence, or work already constructed, or with any sewers or works to be made or executed in such district, or shall or may in any way affect the sewerage or drainage of such district, the promoters shall not commence such work until they shall have given to the proper authority having control over the same fourteen days previous notice in writing of their intention to commence the same, by leaving such notice at the principal office of such authority with all necessary particulars relating thereto, nor until

such authority shall have signified their approval of the same, unless such authority do not signify their approval, disapproval, or other directions within fourteen days after service of the said notice and particulars as aforesaid, and the promoters shall comply with and conform to all reasonable directions and regulations of the said authority in the execution of the said works, and shall provide by new, altered, or substituted works, in such manner as such authority shall reasonably require, for the proper protection of and for preventing injury or impediment to the sewers and works herein-before referred to, or by reason of the tramways, and shall save harmless the said authority against all and every the expense to be occasioned thereby; and all such works shall be done under the direction, superintendence, and control of the engineer or other officer or officers of the said authority, at the reasonable costs, charges, and expenses in all respects of the promoters; and when any new, altered, or substituted work as aforesaid, or any works or defence connected therewith, shall be completed by or at the costs, charges, or expenses of the promoters, under the provisions of this Act, the same shall thereafter be as fully and completely under the direction, jurisdiction, and control of the said authority and be maintained by them as any sewers or works.

Rights of authorities and companies, &c. to open roads.

22. Nothing in this Act shall take away or abridge any power to open or break up any road along or across which any tramway is laid, which power is vested in any road authority for any of the purposes for which such authority is constituted, or in any company, body, or person for the purpose of laying down, repairing, altering, or removing any pipe for the supply of gas or water, or any tubes, wires, or apparatus for telegraphic or other purposes, but in the exercise of such power every such road authority, company, body, or person shall be subject to the following restrictions; (that is to say,)

1. They shall cause as little detriment or inconvenience to the promoters and lessees as circumstances admit:
2. Before they commence any work whereby the traffic on the tramway will be interrupted they shall (except in cases of urgency, in which cases no notice shall be necessary) give to the promoters and lessees notice of their intention to commence such work, specifying the time at which they will begin to do so, such notice to be given eighteen hours at least before the commencement of the work:
3. They shall not be liable to pay to the promoters or lessees any compensation for injury done to the tramway by the execution of such work, or for loss of traffic occasioned thereby, or for

A.D. 1870.

the reasonable exercise of the powers so vested in them as aforesaid:

4. Whenever for the purpose of enabling them to execute such work the road authority shall so require, the promoters or lessees shall either stop traffic on the tramway to which the notice shall refer, where it would otherwise interfere with such work, or shore up and secure the same at their own risk and cost during the execution of the work there: Provided that such work shall always be completed by the road authority with all reasonable expedition.

5. Any company, body, or person shall not execute such work so far as it immediately affects the tramway except under the superintendence of the promoters, unless they refuse or neglect to give such superintendence at the time specified in the notice for the commencement of the work or discontinue the same during the progress of the work; and they shall execute such work at their own expense, and to the reasonable satisfaction of the promoters: Provided that any additional expense imposed upon them by reason of the existence of the tramway in any road or place where any such mains, pipes, tubes, wires, or apparatus shall have been laid before the construction of such tramway shall be borne by the promoters.

Difference between promoters and road authority, &c.

23. If any difference arises between the promoters or lessees on the one hand and any road authority, or any gas or water company, or any company, body, or person to whom any sewer, drain, tube, wires, or apparatus for telegraphic or other purposes may belong, or any other company, on the other hand, with respect to any interference or control exercised, or claimed to be exercised, by them or him, or on their or his behalf, or by the promoters by virtue of this Act, in relation to any tramway or work, or in relation to any work or proceeding of the road authority, body, company, or person, or with respect to the propriety of or the mode of execution of any work relating to any tramway, or with respect to the amount of any compensation to be made by or to the company, or on the question whether any work is such as ought reasonably to satisfy the road authority, body, company, or person concerned, or with respect to any other subject or thing regulated by or comprised in this Act, the matter in difference shall (unless otherwise specially provided by this Act) be settled by an engineer or other fit person nominated as referee by the Board of Trade on the application of either party, and the expenses of the reference shall be borne and paid as the referee directs.

PART III.

General Provisions.

Carriages.

Power for promoters to use tramways with flange-wheeled carriages, &c.

24. The promoters of tramways and their lessees may use on their tramways carriages with flange wheels, or wheels specially adapted to run on a grooved rail; and, subject to the provisions of this Act, the promoters and their lessees shall have the exclusive use of their tramways for carriages with flange wheels, or other wheels specially adapted to run on a grooved rail.

All carriages used on any tramway shall be moved by animal power only.

Licences to use Tramways.

Licences to to use the tramway may in certain events be granted to third parties by the Board of Trade.

25. If at any time after any tramway or part of any tramway shall have been for three years opened for public traffic it shall be represented in writing to the Board of Trade by the road authority of any road in which such tramway or part of a tramway is laid, or by twenty inhabitant ratepayers of any parish in which such tramway or part of a tramway is laid, that the public are deprived of the full benefit of the tramway, the Board of Trade may (if they consider that, primâ facie, the case is one for inquiry) direct an inquiry by a referee under this Act into the truth of the representation, and if the referee report that the truth of the representation has been proved to his satisfaction, the Board may from time to time grant licences to any company or person to use such tramway in addition to the promoters or their lessees for the conveyance only of passsengers and their personal luggage, with carriages to be approved by the Board, subject to the following provisions, conditions, and restrictions; that is to say,

1. The licence shall be for any period not less than one year nor more than three years from the date of the licence, but shall be renewable by the Board, if they upon inquiry think fit:
2. The licence shall be to use the whole of such tramway for the time being opened for public traffic, or such part or parts of such tramway as the Board, having reference to the cause for granting the licence, shall think right:
3. The licence shall direct the number of carriages which the licensee or licensees shall run upon such tramway, and the mode in which and times at which such carriages shall be run:

A.D. 1870.

4. The licences shall specify the tolls to be paid to the promoters or to their lessees by the licensee or licensees for the use of the tramways, such tolls to be not less than one farthing nor more than one halfpenny per mile for each passenger carried by the licensee or licensees on the tramways :

5. The licensee or licensees, and their officers and servants, shall permit one person duly authorized for that purpose by the promoters, or by their lessees, to ride free of charge in or upon each carriage of the licensee or licensees run upon the tramways for the whole or any part of the journey :

6. The Board of Trade may at any time after the granting of any licence revoke, alter, or modify the same for good cause shown to them.

In default of payment of tolls licensee's carriages may be detained and sold.

26. If on demand any licensee fail to pay the tolls due in respect of any passengers carried in any carriage it shall be lawful for the promoters or their lessees, to whom the same are payable, to detain and sell such carriage, or if the same shall have been removed from the tramway or premises of such promoters or lessees to detain and sell any other carriages on such tramway or premises belonging to such licensee, and out of the moneys arising from such sale to retain the tolls payable as aforesaid, and all charges and expenses of such detention and sale, rendering the overplus (if any) of such moneys and such of the carriages as shall remain unsold to the person entitled thereto.

Licensees to give account of passengers carried by them.

27. Every licensee shall on demand give to an officer or servant authorized in that behalf by the promoters or their lessees entitled to be paid tolls by such licensee, an exact account in writing signed by such licensee of the number of passengers conveyed by any and every carriage used by him on the tramways.

Licensees not giving account of passengers carried liable to penalty.

28. If any such licensee fails to give such account to such officer or servant demanding the same as aforesaid, or if any such licensee with intent to avoid the payment of any tolls gives a false account, he shall for every such offence forfeit to the promoters, or to their lessees entitled to be paid tolls by such licensee, a sum not exceeding five pounds, and such penalty shall be in addition to any tolls payable in respect of the passengers carried by any such carriage.

Disputes as to amount of toll to be settled by justice.

29. If any dispute arise concerning the amount of the tolls due to the promoters or to their lessees from any licensee, or concerning the charges occasioned by any detention or sale of any carriage under the provisions herein contained, the same shall be settled by a justice, and it shall be lawful for the promoters or their lessees

in the meanwhile to detain the carriage, or (if the case so require) the proceeds of the sale thereof. A.D. 1870.

Owners of carriages liable for damage done by their servants.

30. Every licensee shall be answerable for any trespass or damage done by his carriages or horses, or by any of the servants or persons employed by him, to or upon the tramway, or to or upon the property of any other person, and, without prejudice to the right of action against the licensee or any other person, every such servant or other person may lawfully be convicted of such trespass or damage before a justice of the peace, either by the confession of the party offending or by the oath of some credible witness; and upon such conviction every such licensee shall pay to the promoters, lessees, or persons injured, as the case may be, the damage, to be ascertained by such justices, so that the same do not exceed fifty pounds.

Agreements for use of Tramways.

Authorizing agreements for use of tramways.

31. The promoters on the one hand, and any company or any corporation or person on the other hand, from time to time may, subject to the provisions of this Act, enter into and carry into effect contracts, agreements, and arrangements for or with reference to the use by such company or by such corporation or person of their tramway or any part thereof, and the tolls, rates, and charges to be paid by such company, corporation, or person to the promoters, for such use, and the terms and conditions of such user, and all incidental matters.

Purchase of Tramways.

Future purchase of undertaking by local authority.

32. Where the promoters of a tramway in any district are not the local authority, the local authority with the consent of the ratepayers in such district, (such consent being testified in like manner as consents to the making of tramways under this Act,) may within six months after the expiration of a period of twenty-one years from the time when such promoters were empowered to construct such tramway, and within six months after the expiration of every subsequent period of seven years, with the approval of the Board of Trade, by notice in writing require such promoters to sell, and thereupon such promoters shall sell to them their undertaking or so much of the same as is within such district, upon terms of paying the value of all lands, buildings, works, materials, and plant of the promoters suitable to and used by them for the purposes of their undertaking, within such district, and the value of the tramway estimated as a constructed work, such value to be in case of difference determined by an engineer or

A.D. 1870.

other fit person nominated as referee by the Board of Trade on the application of either party, and the expenses of the reference to be borne and paid as the referee directs. And when any such sale has been made, all the rights, powers, and authorities of such promoters in respect to the undertaking sold shall be transferred to, vested in, and may be exercised by the authority to whom the same has been sold, and such authority shall for the purposes of this Act be deemed to be the promoters.

Discontinuance of Tramways.

Tramways to be removed in certain cases.

33. If at any time after the opening of any tramway for traffic the promoters discontinue the working of such tramway, or of any part thereof, for the space of six calendar months (such discontinuance not being occasioned by circumstances beyond the control of the promoters), it shall be lawful for the road authority, without any previous notice to the promoters, to remove the tramway or part of the tramway so discontinued, and the promoters shall pay to the road authority the cost of such removal and of the making good of the road by the road authority, such cost to be certified by the clerk for the time being, or by some other authorized person of the road authority, whose certificate shall be final and conclusive; and if the promoters fail to pay the amount so certified within one calendar month after delivery to them of such certificate or a copy thereof, the road authority may, without any previous notice to the promoters (but without prejudice to any other remedy which they may have for the recovery of the amount), sell and dispose of the materials of the tramway or part of tramway removed, either by public auction or private sale, and for such sum or sums, and to such person or persons, as the road authority may think fit, and may out of the proceeds of such sale pay and reimburse themselves the amount of the cost certified as aforesaid and of the cost of sale, and the balance (if any) of the proceeds of the sale shall be paid over by the road authority to the promoters.

Tolls.

Tolls, &c. in schedule.

34. The promoters or lessees of a tramway may demand and take, in respect of such tramway, tolls and charges not exceeding the sum specified in the schedule (B.) to this Act, subject and according to the regulations therein specified.

Power for Board of Trade to vary tolls, &c.

35. The Board of Trade may, nevertheless, by the certificate, vary the tolls and charges and regulations specified in the schedule to this Act, or any of them, if in any case it seems to them necessary or proper, under the circumstances, to do so.

Byelaws. A.D. 1870.

Promoters may make byelaws.

36. The promoters of any tramway and their lessees may, subject to the provisions of this Act, from time to time make, and when made may rescind, amend, or add to byelaws—

For preventing the commission of any nuisance in or upon any carriage, or in or against any premises belonging to them;

For regulating the travelling upon, the user, and working of such tramway;

And generally for the protection of such tramway and the preventing of any injury to or interference with the authorized user of the same.

No such byelaw shall have any force or effect until two calendar months after a true copy of such byelaw shall have been laid before the Board of Trade, unless the said Board shall before such period signify their approbation thereof.

Board of Trade may disallow byelaws.

37. The Board of Trade may, at any time either before or after any byelaw which has been laid before them as aforesaid has come into operation, notify their disallowance thereof, and in case the same shall be in force at the time of such disallowance the time at which the same shall cease to be in force; and no byelaw which shall be so disallowed shall have any force or effect whatsoever, or if it shall be in force at the time of the disallowance, it shall cease to have any force or effect at the time limited in the notice of such disallowance, saving in so far as any penalty may have been then already incurred under the same.

Board of Trade may make additional byelaws.

38. The Board of Trade may from time to time, either in addition to or in substitution for any byelaw which has been laid before them in manner aforesaid, make any byelaws which in their judgment may be necessary for the protection or convenience of the public, and every such byelaw shall have effect against the promoters and their lessees, and every licensee under this Act, and every other person from the time to be notified in that behalf by the Board of Trade, or, if no time be so notified, from and after the expiration of one week from the delivery to the promoters, their lessees, and to any such licensee of a copy of such byelaw by the Board of Trade under the hand of their secretary.

Penalties in byelaws.

39. Any such byelaws may impose reasonable penalties for offences against the same, not exceeding *forty shillings* for each offence, with or without further penalties for continuing offences, not exceeding for any continuing offence *ten shillings* for every day during which the offence continues; but all byelaws shall be so framed as to allow in every case part only of the maximum penalty being ordered to be paid.

Offences.

Penalty for obstruction of promoters in laying out tramway.

40. If any person wilfully obstructs any person acting under the authority of any promoters in the lawful exercise of their powers in setting out or making, forming, laying down, repairing, or renewing a tramway, or defaces or destroys any mark made for the purposes of setting out the line of the tramway, or wilfully damages or destroys any property of any promoters, lessees, or licensees, he shall for every such offence be liable to a penalty not exceeding *five pounds*.

Penalties for wilful injury or obstruction to tramways, &c.

41. If any person, without lawful excuse (the proof whereof shall lie on him), wilfully does any of the following things; (namely,)

Interferes with, removes, or alters any part of a tramway or of the works connected therewith;

Places or throws any stones, dirt, wood, refuse, or other material on any part of a tramway;

Does or causes to be done anything in such manner as to obstruct any carriage using a tramway, or to endanger the lives of persons therein or thereon;

Or knowingly aids or assists in the doing of any such thing;

he shall for every such offence be liable (in addition to any proceedings by way of indictment or otherwise to which he may be subject) to a penalty not exceeding *twenty pounds*.

Penalty on passengers practising frauds on the promoters.

42. If any person travelling or having travelled in any carriage on any tramway avoids or attempts to avoid payment of his fare, or if any person having paid his fare for a certain distance, knowingly and wilfully proceeds in any such carriage beyond such distance, and does not pay the additional fare for the additional distance, or attempts to avoid payment thereof, or if any person knowingly and wilfully refuses or neglects on arriving at the point to which he has paid his fare to quit such carriage, every such person shall, for every such offence, be liable to a penalty not exceeding *forty* shillings.

Transient offenders.

43. It shall be lawful for any officer or servant of the promoters or lessees of any tramway, and all persons called by him to his assistance, to seize and detain any person discovered either in or after committing or attempting to commit any such offence as in the preceding section is mentioned, and whose name or residence is unknown to such officer or servant, until such person can be conveniently taken before a justice, or until he be otherwise discharged by due course of law.

A.D. 1870.

Penalty for bringing dangerous goods on the tramway.

44. No person shall be entitled to carry or to require to be carried on any tramway any aquafortis, oil of vitriol, gunpowder, lucifer matches, or any other goods which may be of a dangerous nature, and if any person send by any tramway any such goods without distinctly marking their nature on the outside of the package containing the same, or otherwise giving notice in writing to the book-keeper or other servant with whom the same are left at the time of such sending, he shall be liable to a penalty not exceeding twenty pounds for every such offence, and it shall be lawful for such promoters or lessees to refuse to take any parcel that they may suspect to contain goods of a dangerous nature, or require the same to be opened to ascertain the fact.

Penalty for persons using tramways with carriages with flange wheels, &c.

45. If any person (except under a lease from or by agreement with the promoters, or under licence from the Board of Trade, as by this Act provided,) uses the tramway or any part thereof with carriages having flange wheels or other wheels specially adapted to run on an edge rail or on a grooved rail, such person shall for every such offence be liable to a penalty not exceeding *twenty* pounds (over and beyond any tolls which may be payable by them or him under this Act).

Miscellaneous.

Promoters or lessees to be responsible for all damages.

46. The promoters or lessees, as the case may be, shall be answerable for all accident, damages, and injuries happening through their act or default, or through the act or default of any person in their employment by reason or in consequence of any of their works or carriages, and shall save harmless all road authorities, companies, or bodies, collectively and individually, and their officers and servants, from all damages and costs in respect of such accidents, damages, and injuries.

Recovery of tolls, penalties, &c.

47. All tolls, penalties, and charges, under this Act or under any byelaw made in pursuance of this Act, may be recovered and enforced as follows; before two justices of the peace in manner directed by the Act of the session of the eleventh and twelfth years of the reign of Her present Majesty, chapter forty-three, intituled "An Act to facilitate the performance of the duties of justices of "the peace out of sessions within England and Wales with respect "to summary convictions and orders," and any Act amending the same.

Right of user only.

48. Notwithstanding anything in this Act contained the promoters of any tramway shall not acquire or be deemed to acquire any right other than that of user in the soil of any road along or across which they lay any tramway.

A.D. 1870.

Reserving powers of street authorities to widen, &c. roads.

49. Nothing in this Act shall take away or affect any power which any road authority has by law to widen, alter, or improve any road.

Power for police authorities to regulate traffic in roads.

50. Nothing in this Act shall limit or affect the powers of the police in any district to regulate the passage of any traffic along or across any road along or across which any tramways are laid down, and such police may exercise their authority as well on as off the tramway, and with respect as well to the traffic of the promoters or of lessees as to the traffic of other persons.

Reservation of right of public to use roads.

51. Save as in this Act provided, nothing in this Act shall take away or abridge the right of the public to pass along or across every or any part of any road along or across which any tramway is laid, whether on or off the tramway, with carriages having ordinary wheels.

Regulating inquiries before referee appointed by the Board of Trade.

52. Every inquiry which by this Act the Board of Trade are empowered to make or direct shall be made in accordance with the following provisions :

1. The inquiry shall be held before an officer to be appointed in that behalf by the Board, herein-after called the referee, and whose appointment shall be by writing, which shall specify all the matters referred to him :
2. Ten days notice at the least shall be given by the referee to the parties upon whose representation the Board of Trade shall have directed the inquiry, of the time and place at which the inquiry is to be commenced :
3. The inquiry shall be commenced at the time and place so appointed, and the referee may adjourn the inquiry from time to time as may be necessary to such time and place as he may think fit :
4. The referee by summons shall, on the application of any party to the inquiry, require the attendance before himself, at a place and time to be mentioned in the summons, of any person to be examined as a witness before him, and every person summoned shall attend the referee, and answer all questions touching the matter to be inquired into :
5. The referee may and shall administer an oath, or an affirmation where an affirmation in lieu of an oath would be admitted in a court of justice, to any person tendered or summoned as a witness on the inquiry :
6. Any person who upon oath or affirmation wilfully gives false evidence before the referee shall be deemed guilty of perjury :

7. The referee shall make his report to the Board of Trade in writing, and shall deliver copies of the report upon request to all or any of the parties to the inquiry:

8. The referee shall have power to direct by and to whom the costs or any part of the costs of the inquiry shall be paid:

9. The referee shall for all purposes be deemed to be an arbitrator, and his appointment shall be deemed to be a submission to arbitration between the parties to the inquiry in respect of the matters thereby referred to him, and his report shall be deemed to be and shall have the effect of and be dealt with as an award made upon the submission, and each such submission may be made, upon the application of any party interested in the inquiry, a rule of any of Her Majesty's superior courts of law at Westminster.

Rules for carrying Act into effect.

53. The Board of Trade may from time to time make, and, when made, may rescind, annul, or add to, rules with respect to the following matters:

1. The proceedings to be had before the Board under this Act:

2. The forms of certificates under this Act and directions as to the mode in which this Act is to be carried into execution:

3. The mode of holding meetings for the purpose of obtaining the consent of owners and ratepayers to applications for a certificate under this Act:

4. The payment of money or lodgment of securities by way of deposits, the repayment and forfeiture of the same, the investment of the same, the amount and payment of interest or dividends from time to time accruing due on such deposits:

5. The service of notices, the lodgment of documents, and any other matter by this Act directed to be prescribed:

6. As to any other matter or thing, whether similar or not to those above mentioned, in respect of which it may be expedient to make rules for the purpose of carrying this Act into execution:

Any rules made in pursuance of this section shall be deemed to be within the powers conferred by this Act, and shall be of the same force as if enacted in this Act, and shall be judicially noticed.

Any rules made in pursuance of this section shall be laid before Parliament within three weeks after they are made, if Parliament be then sitting, and if Parliament be not then sitting, within three weeks after the beginning of the then next session of Parliament.

SCHEDULE A.

Districts of Local Authorities.	Description of Local Authority of District set opposite its Name.	The Local Rate.
The city of London and the liberties thereof.	Commissioners of sewers of the city of London.	The consolidated rate.
Parishes within the metropolis (1.) mentioned in schedule (A.) to the Metropolis Local Management Act.	The vestries appointed for the purposes of the Metropolis Local Management Act.	The general rate leviable under the Metropolis Local Management Act.
Districts within the metropolis (1.) formed by the union of the parishes mentioned in schedule (B.) to the Metropolis Local Management Act.	The board of works for the district appointed for the purpose of the Metropolis Local Management Act.	The general rate leviable under the Metropolis Local Management Act.
Boroughs (2.)	The mayor, aldermen, and burgesses, acting by the council.	The borough fund or other property applicable to the purposes of a borough rate, or the borough rate.
Any place not included in the above descriptions, and under the jurisdiction of commissioners, trustees, or other persons intrusted by any Local Act with powers of improving, cleansing, or paving any town.	The commissioners, trustees, or other persons intrusted by the Local Act with powers of improving, cleansing, or paving the town.	Any rate leviable by such commissioners, trustees, or other persons, or other funds applicable by them to the purposes of improving, cleansing, or paving the town.
Any place not included in the above descriptions and within the jurisdiction of local board constituted in pursuance of the Public Health Act, 1848, and the Local Government Act, 1858, or one of such Acts.	The local board	General district rate.
Any place or parish not within the above descriptions and in which a rate is levied for the maintenance of the poor.	The vestry, select vestry, or other body of persons, acting by virtue of any Act of Parliament, prescription, custom, or otherwise, as or instead of a vestry or select vestry.	The poor rate.

Notes.

(1.) "The metropolis" shall include all parishes and places in which the Metropolitan Board of Works have power to levy a main drainage rate, except the city of London and the liberties thereof.

(2.) "Borough" shall mean any place for the time being subject to an Act passed in the session holden in the fifth and sixth years of the reign of King William the Fourth, chapter seventy-six, intituled "An Act to provide for the Regulation of "Municipal Corporations in England and Wales," which is not assessed to the county rate of any county by the justices of such county.

SCHEDULE B.

A

BILL

To facilitate the construction and to regulate the working of Tramways.

(*Prepared and brought in by Mr. Shaw Lefevre, Mr. Stansfeld, and Mr. Ayrton.*)

Ordered, by The House of Commons, *to be Printed,*
1 *March* 1870.

[Bill 54.]

Under 4 *oz.*

021

A

B I L L

[AS AMENDED BY THE SELECT COMMITTEE]

TO

Facilitate the construction and to regulate the working of Tramways. A.D. 1870.

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Preliminary.

Short title.

1. This Act may be cited for all purposes as "The Tramways Act, 1870."

Limitation of Act.

2. This Act shall not extend to Ireland.

Interpretation of terms.

3. For the purposes of this Act the terms herein-after mentioned shall have the meanings herein-after assigned to them; that is to say:—

The terms "local authority" and "local rate" shall mean respectively the bodies of persons and rate named in the table in Part One of the schedule (A.) to this Act annexed:

The term "road" shall mean any carriageway being a public highway, and the carriage way of any bridge forming part of the same:

The term "road authority" shall mean, in the districts specified in the table in Part Two of the schedule (A.) to this Act annexed, the bodies of persons named in the same table, and elsewhere any local authority, board, town council, body corporate, commissioners, trustees, vestry, or other body or persons in whom a road as defined by this Act is vested, or who have the power to maintain or repair such road:

The term "district," in relation to a local authority or road authority, shall mean the area within the jurisdiction of such local authority or road authority:

The term "prescribed" shall mean prescribed by any rules made in pursuance of this Act:

4

A.D. 1870.

The term "the Lands Clauses Acts" means, so far as the Provisional Order in which that term is used relates to England, The Lands Clauses Consolidation Act, 1845; and, so far as the same relates to Scotland, The Lands Clauses Consolidation (Scotland) Act, 1845; together with, in each case, The Lands Clauses Consolidation Acts Amendment Act, 1860.

Part I.

Provisional Orders authorizing the Construction of Tramways.

By whom Provisional Orders authorizing the construction of tramways may be obtained.

4. Provisional Orders authorizing the construction of tramways in any district under the authority of this Act may be obtained by—

(1.) The local authority of such district; or by—

(2.) Any person, persons, corporation, or company, with the consent of the local authority of such district:

And any such person, persons, corporation, or company shall be deemed to be promoters of a tramway, and are in this Act referred to as "the promoters."

Application for a Provisional Order in pursuance of this Act shall not be made by any local authority, unless a resolution approving of the intention to make such application has been passed at a special meeting of the members constituting such local authority. No such resolution shall be valid unless a month's previous notice of the meeting, and of the purpose thereof, has been given in manner in which notices of meetings of such local authority are usually given, nor unless two thirds of the members constituting such local authority are present at the meeting and a majority of those present and voting concur in the resolution; and it shall be lawful for the chairman of any such meeting, with the consent of a majority of the members present, to adjourn the same from day to day.

Where in any district there is a road authority distinct from the local authority, the consent of such road authority shall also be necessary in any case where power is sought to break up any road subject to the jurisdiction of such road authority, before any Provisional Order can be obtained.

Where it is proposed to lay down a tramway in any district or districts, and any local or road authority having jurisdiction within such district or districts does not consent thereto, the Board of Trade may, nevertheless, if they are satisfied after inquiry that, having regard to all the circumstances of the case, such consent ought not to be refused, dispense with the same in any application for a Provisional Order authorizing the construction of such tram-

way; and in such case they shall make a special report, stating the grounds upon which they have dispensed with such consent. A.D. 1870.

Notices and deposit of documents by promoters as in schedule. 24 & 25 Vict. c. 45. 25 & 26 Vict. c. 12.

5. The promoters intending to make an application for a Provisional Order in pursuance of this Act shall proceed as follows:—

(1.) In the months of October and November next before their application, or in one of those months, they shall publish notice of their intention to make such application by advertisement, according to the regulations contained in Part One of the Schedule (B.) to this Act:

(2.) On or before the thirtieth day of the same month of November they shall deposit the documents described in Part Two of the same schedule, according to the regulations therein contained:

(3.) On or before the twenty-third day of December in the same year they shall deposit the documents described in Part Three of the same schedule, according to the regulations therein contained:

All maps, plans, and documents required by this Act to be deposited for the purposes of any Provisional Order may be deposited with the persons and in the manner directed by the Act of the session of Parliament held in the seventh year of the reign of His late Majesty King William the Fourth and the first year of Her present Majesty, intituled "An Act to compel clerks of the peace "for counties and other persons to take the custody of such documents as shall be directed to be deposited with them under the "standing orders of either House of Parliament;" and all the provisions of that Act shall apply accordingly.

Power for Board of Trade to determine on application and on objection. 24 & 25 Vict. c. 45. 25 & 26 Vict c. 19.

6. The Board of Trade shall consider the application, and may, if they think fit, direct an inquiry in the district to which the same relates, or may otherwise inquire as to the propriety of proceeding upon such application, and they shall consider any objection thereto that may be lodged with them on or before such day as they from time to time appoint, and shall determine whether or not the promoters may proceed with the application.

Power for Board of Trade to make Provisional Order.

7. Where it appears to the Board of Trade expedient and proper that the application should be granted, with or without addition or modification, or subject or not to any restriction or condition, the Board of Trade may settle and make a Provisional Order accordingly.

Form and contents of Provisional Order.

Every such Provisional Order shall empower the promoters therein specified to make the tramway upon the gauge, and in

A.D. 1870.

24 & 25 Vict. c. 45. 25 & 26 Vict. c. 19.

manner therein described, and shall contain such provisions as (subject to the requirements of this Act) the Board of Trade, according to the nature of the application and the facts and circumstances of each case, think fit to submit to Parliament for confirmation in manner provided by this Act; but so that any such Provisional Order shall not contain any provision for empowering the promoters or any other person to acquire lands otherwise than by agreement, or to acquire any lands, even by agreement, except to an extent therein limited, or to construct a tramway elsewhere than along or across a road, or upon land taken by agreement.

Nature of traffic on tramway and tolls to be specified in Provisional Order.

8. Every such Provisional Order shall specify the nature of the traffic for which such tramway is to be used, and the tolls and charges which may be demanded and taken by the promoters in respect of the same, and shall contain such regulations relating to such traffic and such tolls and charges as the Board of Trade shall deem necessary and proper.

Costs of Order. 24 & 25 Vict. c. 45. 25 & 26 Vict. c. 18.

9. The costs of and connected with the preparation and making of each Provisional Order shall be paid by the promoters, and the Board of Trade may require the promoters to give security for such costs before they proceed with the Provisional Order.

Promoters to deposit 4*l.* per cent. on estimate in prescribed bank.

10. After a Provisional Order is ready, and before the same is delivered by the Board of Trade, the promoters, unless they are a local authority, shall within the prescribed time and in the prescribed manner, and subject to the prescribed conditions as to interest, repayment, or forfeiture, pay, as a deposit, into the prescribed bank, the sum of money prescribed, which shall not be less than four pounds per centum on the amount of the estimate by the promoters of the expense of the construction of the tramway, or deposit in such bank any security of the prescribed nature the then value of which is not less than such sum of money.

Publication of Provisional Order as in schedule.

11. When a Provisional Order has been made as aforesaid and delivered to the promoters, the promoters shall forthwith publish the same by deposit and advertisement, according to the regulations contained in Part Four of the Schedule (B.) to this Act.

Confirmation of Provisional Order by Act of Parliament. 24 & 25 Vict. c. 45. 25 & 26 Vict. c. 19.

12. On proof to the satisfaction of the Board of Trade of the completion of such publication as aforesaid, the Board of Trade shall, as soon as they conveniently can after the expiration of seven days from the completion of such publication, procure a Bill to be introduced into either House of Parliament for an Act to confirm the Provisional Order, which shall be set out at length in the schedule to the Bill; and until confirmation by Act of Parliament a Provisional Order under this Act shall not have any operation.

A.D. 1870.

If while any such Bill is pending in either House of Parliament a petition is presented against any Provisional Order comprised therein, the Bill, so far as it relates to the order petitioned against, may be referred to a select committee, and the petitioner shall be allowed to appear and oppose as in the case of a Bill for a special Act.

The owner or occupier of any house, shop, or warehouse in any street through which it is proposed to construct any tramway, and who complains in any such petition against a Provisional Order that the construction or use of the tramway authorized thereby will injuriously affect him in the ownership or occupation of such house, shop, or warehouse, shall be entitled to appear and oppose such Provisional Order before any Select Committee to which the Bill relating to the same is referred.

The Act of Parliament confirming a Provisional Order under this Act shall be deemed a Public General Act.

Incorporation of General Acts in Provisional Order.

13. The provisions of The Lands Clauses Acts shall be incorporated with every Provisional Order under this Act, save where the same are expressly varied or excepted by any such Provisional Order, and except as to the following provisions, namely,—

(1.) With respect to the purchase and taking of lands otherwise than by agreement:

(2.) With respect to the entry upon lands by the promoters of the undertaking.

For the purposes of such incorporation a Provisional Order under this Act shall be deemed the Special Act.

Power of Board of Trade to revoke, amend, extend, or vary Provisional Order

14. The Board of Trade on the application of any promoters empowered by a Provisional Order may from time to time revoke, amend, extend, or vary such Provisional Order by a further Provisional Order.

Every application for such further Provisional Order shall be made in like manner and subject to the like conditions as the application for the former Provisional Order.

Every such further Provisional Order shall be made and confirmed in like manner in every respect as the former Provisional Order, and until such confirmation such further Provisional Order shall not have any operation.

Power to authorize joint work.

15. Subject and according to the provisions of this Act, the Board of Trade may, on a joint application, or on two or more separate applications, settle and make a Provisional Order empowering two or more local authorities, respectively, jointly to construct the whole, or separately to construct parts, of a tramway, and jointly or separately to own the whole or parts thereof; and all the provisions of this Act which relate to the construction of tram-

A.D. 1870.

ways shall extend and apply to the construction of the whole and the separate parts of such tramway as last aforesaid; and the form of the Provisional Order may be adapted to the circumstances of the case.

Cesser of powers at expiration of prescribed time.

16. If the promoters, empowered by any Provisional Order under this Act to make a tramway, do not, within two years from the date of the same, or within any shorter period prescribed therein, complete the tramway and open it for public traffic; or,

If within one year from the date of the Provisional Order, or within such shorter time as is prescribed in the same, the works are not substantially commenced; or,

If the works having been commenced are suspended without a reason sufficient in the opinion of the Board of Trade to warrant such suspension;

the powers given by the Provisional Order to the promoters for constructing such tramway, executing such works, or otherwise in relation thereto shall cease to be exercised, except as to so much of the same as is then completed, unless the time be prolonged by the special direction of the Board of Trade.

A statement in writing by the Board of Trade to the effect that a tramway has not been completed and opened for public traffic, or that the works have not been substantially commenced, or that they have been suspended without sufficient reason, shall be conclusive evidence for the purposes of this section of such non-completion, non-commencement, or suspension.

Local authority may lease or take tolls.

17. When a tramway has been completed under the authority of a Provisional Order under this Act by any local authority, such authority may, with the consent of the Board of Trade, and subject to the provisions of this Act, by lease demise to any person, persons, corporation, or company the right of user by such person, persons, corporation, or company of the tramway, and of demanding and taking in respect of the same the tolls and charges authorized; or such authority may leave such tramway open to be used by the public, and may in respect of such user demand and take the tolls and charges authorized; but nothing in this Act contained shall authorize any local authority to place or run carriages upon such tramway, and to demand and take tolls and charges in respect of the same.

Every such lease shall be made for a term or for terms not exceeding in the whole twenty-one years from the date of the confirmation of the Provisional Order.

At the expiration of any lease made under this Act, the local authority may from time to time, with the consent of the Board

of Trade, by lease, demise such rights for such further term or terms, not exceeding in any case twenty-one years, as the said Board may approve.

Every such lease shall imply a condition of re-entry if at any time after the making of the same the lessees discontinue the working of the tramway leased, or of any part thereof, for the space of six calendar months (such discontinuance not being occasioned by circumstances beyond the control of such lessees).

The person, persons, corporation, or company to whom any such lease may be made are in this Act referred to as "lessees."

How expenses to be defrayed.

18. Where the local authority in any district are the promoters of any tramway, they shall pay all expenses incurred by them in applying for and obtaining a Provisional Order, and carrying into effect the purposes of such Provisional Order, out of the local rate, and any such expenses shall be deemed to be purposes for which such local rate may be made, and to which the same may be applied.

Where the local rate is limited by law to a certain amount, and is by reason of such limitation insufficient for the payment of such expenses, the Board of Trade may, by the Provisional Order, extend the limit of such local rate to such amount as they shall think fit, and prescribe for the payment of such expenses.

Such local authority may, for the purposes of such Provisional Order, borrow and take up at interest, on the credit of such local rate, any sums of money necessary for defraying any such expenses; and for the purpose of securing the repayment of any sums so borrowed, together with such interest as aforesaid, such local authority may mortgage to the persons by or on behalf of whom such sums are advanced such local rate; but the exercise of the above power shall be subject to the following regulations:

(1.) The money so borrowed shall not exceed such sum as may be sanctioned by the Board of Trade.

(2.) The money may be borrowed for such time, not exceeding thirty years, as such local authority, with the sanction of the Board of Trade, determine; and, subject as aforesaid, such local authority may either pay off the moneys so borrowed by equal annual instalments, or they may in every year set apart as a sinking fund, and accumulate in the way of compound interest by investing the same in the purchase of exchequer bills or other government securities, such sum as will be sufficient to pay off the moneys so

A.D. 1870.

borrowed, or a part thereof, at such times as the local authority may determine.

Such local authority shall keep separate accounts of all moneys paid by them in applying for, obtaining, and carrying into effect any such Provisional Order, and in the repayment of moneys borrowed, and of all moneys received by them by way of rent or tolls in respect of the tramway authorized thereby.

When, after payment of all charges incurred under the authority of this Act, and necessary for giving effect to such Provisional Order, there shall be remaining in the hands of such local authority any of the moneys received by them by way of rent or tolls in respect of the tramway authorized by such Provisional Order, such moneys shall be applied by them to the purposes for which the local rate may be by them applied.

Part II.

Construction of Tramways.

As to incorporation of Parts II. and III. with Provisional Order and special Acts.

19. Part II. and Part III. of this Act shall apply to every tramway which is hereafter authorised by any Provisional Order or Act of Parliament, and shall be incorporated with such Provisional Order or Act, and all the said provisions of this Act, save so far as they shall be expressly varied or excepted by any such Provisional Order or Act, shall apply to the undertaking authorised thereby, so far as the same shall be applicable to such undertaking, and shall, with the provisions of every other Act or part of any Act which shall be incorporated therewith, form part of the said Provisional Order or Act, and be construed therewith as forming one Provisional Order or Act, as the case may be.

"Special Act."

20. In Part II. and Part III. of this Act, the term "special Act" shall be construed to mean any Act of Parliament which shall be hereafter passed or any Provisional Order authorising the construction of a tramway, and with which the said parts of this Act shall be incorporated as aforesaid.

"Promoters."

21. The term "the promoters" shall mean any person, persons, corporation, company, or local authority authorized by special Act to construct a tramway.

Mode of formation of tramways.

22. Every tramway which is hereafter authorized by special Act shall be constructed on such gauge as may be prescribed by such special Act, and if no gauge is thereby prescribed on the gauge of four feet eight inches and half an inch, and shall be laid and maintained in such manner that the uppermost surface of the rail

shall be on a level with the surface of the road, and shall not be opened for public traffic until the same has been inspected and certified to be fit for such traffic, in the prescribed manner. A.D. 1870.

23. The promoters from time to time, for the purpose of making, forming, laying down, maintaining, and renewing any tramway duly authorized, or any part or parts thereof respectively, may open and break up any road, subject to the following regulations : Power to break up streets, &c.

1. They shall give to the road authority notice of their intention, specifying the time at which they will begin to do so, and the portion of road proposed to be opened or broken up, such notice to be given seven days at least before the commencement of the work :
2. They shall not open or break up or alter the level of any road, except under the superintendence and to the reasonable satisfaction of the road authority, unless that authority refuses or neglects to give such superintendence at the time specified in the notice, or discontinues the same during the work :
3. They shall pay all reasonable expenses to which the road authority is put on account of such superintendence :
4. They shall not, without the consent of the road authority, open or break up at any one time a greater length than one hundred yards of any road which does not exceed a quarter of a mile in length, and in the case of any road exceeding a quarter of a mile in length the promoters shall leave an interval of at least a quarter of a mile between any two places at which they may open or break up the road, and they shall not open or break up at any such place a greater length than one hundred yards.

Where the carriageway over any bridge forms part of or is a road within the jurisdiction of a road authority, but such bridge is vested in some person or persons, corporation, or company, distinct from such road authority, any work which the promoters may be empowered to construct, and which affects or in anywise interferes with the structural works of such bridge, shall be constructed under the superintendence (at the cost of the promoters) and to the reasonable satisfaction of such person, persons, corporation or company, unless after notice to be given by the promoters seven days at least before the commencement of such work such superintendence is refused or withheld.

24. When the promoters have opened or broken up any portion of any road, they shall be under the following further obligations; namely, Completion of works and reinstatement of road.

A.D. 1870.

1. They shall, with all convenient speed, and in all cases within six weeks at the most (unless the road authority otherwise consents in writing,) complete the work on account of which they opened or broke up the same, and (subject to the formation, maintenance, or renewal of the tramway) fill in the ground and make good the surface, and, to the satisfaction of the road authority, restore the portion of the road to as good condition as that in which it was before it was opened or broken up, and clear away all surplus paving or metalling material or rubbish occasioned thereby:

2. They shall in the meantime cause the place where the road is opened or broken up to be fenced and watched, and to be properly lighted at night:

3. They shall bear or pay all reasonable expenses of the repair of the road for six months after the same is restored, as far as those expenses are increased by the opening or breaking up.

If the promoters aforesaid fail to comply in any respect with the provisions of the present section, they shall for every such offence (without prejudice to the enforcement of specific performance of the requirements of this Act or to any other remedy against them) be liable to a penalty not exceeding twenty pounds, and to a further penalty not exceeding five pounds for each day during which any such failure continues after the first day on which such penalty is incurred.

Repair of part of road where tramway is laid.

25. The promoters shall, at their own expense, at all times maintain and keep in good condition and repair, with such materials and in such manner as the road authority shall direct, and to their satisfaction, so much of any road whereon any tramway belonging to them is laid as lies between the rails of the tramway and (where two tramways are laid by the same promoters in any road at a distance of not more than four feet from each other) the portion of the road between the tramways, and in every case so much of the road as extends eighteen inches beyond the rails of and on each side of any such tramway: Provided always, that if they fail to comply with the provisions of this section the road authority, if they think fit, may themselves at any time, after seven days notice to the promoters, open and break up the road, and do the works necessary for the repair and maintenance of the road, to the extent in this section above mentioned, and the expense incurred by the road authority in so doing shall be repaid to them by the promoters.

A.D. 1870.

Road authority and promoters may contract for paving roads on which tramways are laid.

26. The road authority on the one hand and the promoters on the other hand may from time to time enter into and carry into effect, and from time to time alter, renew, or vary, contracts, agreements, or arrangements with respect to the paving and keeping in repair of the whole or any portion of the roadway of any road on which the promoters shall lay any tramway, and the proportion to be paid by either of them of the expense of such paving and keeping in repair.

Provision as to gas and water companies.

27. For the purpose of making, forming, laying down, maintaining, repairing, or renewing any of their tramways, the promoters may from time to time, where and as far as it is necessary, alter the position of any mains or pipes for the supply of gas or water, or any tube, wires, or apparatus for telegraphic or other purposes, subject to the provisions of this Act, and also subject to the following restrictions; (that is to say,)

1. Before laying down a tramway in a road in which any such mains or pipes, tubes, wires or apparatus may be laid, the promoters shall give seven days notice to the company, persons, or person to whom such mains or pipes, tubes, wires, or apparatus may belong or by whom they are controlled, of their intention to lay down the tramway, and shall at the same time deliver a plan and section of the proposed work. If it should appear to any such company or person that the construction of the tramway as proposed would endanger the same or interfere with or impede the supply of water or gas or the telegraphic or other communication, such company or person (as the case may be) may give notice to the promoters to lower or otherwise alter the position of the said mains or pipes, tubes, wires, or apparatus in such manner as may be considered necessary, and any difference as to the necessity of any such lowering or alteration shall be settled in manner provided by this Act for the settlement of differences between the promoters and other companies or persons, and all alterations to be made under this section shall be made with as little detriment and inconvenience to the company or person to whom such mains or pipes, tubes, wires, or apparatus may belong, or by whom the same are controlled, or to the inhabitants of the district, as the circumstances will admit, and under the superintendence of such company or person or of their surveyor or engineer if they or he think fit to attend, after receiving not less than forty-eight hours notice for that purpose, which notice the promoters are hereby required to give:

A.D. 1870.

2. The promoters shall not remove or displace any of the mains or pipes (other than private service pipes), valves, syphons, plugs, tubes, wires, or apparatus, or other works belonging to or controlled by any such company or person, or do anything to impede the passage of water or gas or the telegraphic or other communication into or through such mains or pipes, without the consent of such company or person, or in any other manner than such company or person shall approve, until good and sufficient mains, pipes, valves, syphons, plugs, and other works necessary or proper for continuing the supply of water or gas or telegraphic or other communication, as sufficiently as the same was supplied by the mains or pipes, tubes, wires, or apparatus proposed to be removed or displaced, shall at the expense of the promoters have been first made and laid down in lieu thereof and ready for use, and to the satisfaction of the surveyor or engineer of such water or gas or other company, or of such person, or, in case of disagreement between such surveyor or engineer and the promoters, as an engineer appointed by the Board of Trade shall direct:

3. The promoters shall not lay down any such pipes contrary to the regulations of any Act of Parliament relating to such water or gas or other company, or relating to telegraphs:

4. The promoters shall make good all damage done by them to property belonging to or controlled by any such company or person, and shall make full compensation to all parties for any loss or damage which they may sustain by reason of any interference with such property, or with the private service pipes of any person supplied by any such company or person with water or gas:

5. If by any such operations as aforesaid the promoters interrupt the supply of water or gas in or through any main or main pipe they shall be liable to a penalty not exceeding twenty pounds for every day upon which such supply shall be so interrupted.

For protection of sewers, &c.

28. Where in any district any tramway or any work connected therewith interferes with any sewer, drain, watercourse, subway, defence or work in such district, or in any way affects the sewerage or drainage of such district, the promoters shall not commence any tramway or work until they shall have given to the proper authority fourteen days previous notice in writing of their intention to commence the same, by leaving such notice at the principal office of such authority with all necessary par-

ticulars relating thereto, nor until such authority shall have signified their approval of the same, unless such authority do not signify their approval, disapproval, or other directions within fourteen days after service of the said notice and particulars as aforesaid, and the promoters shall comply with and conform to all reasonable directions and regulations of the said authority in the execution of the said works, and shall provide by new, altered, or substituted works, in such manner as such authority shall reasonably require, for the proper protection of and for preventing injury or impediment to the sewers and works hereinbefore referred to, by or by reason of the tramways, and shall save harmless the said authority against all and every the expense to be occasioned thereby; and all such works shall be done under the direction, superintendence, and control of the engineer or other officer or officers of the said authority, at the reasonable costs, charges, and expenses in all respects of the promoters; and when any new, altered, or substituted work as aforesaid, or any works or defence connected therewith, shall be completed by or at the costs, charges, or expenses of the promoters, under the provisions of this Act, the same shall thereafter be as fully and completely under the direction, jurisdiction, and control of the said authority and be maintained by them as any sewers or works. A.D. 1870.

Rights of authorities and companies, &c. to open roads.

29. Nothing in this Act shall take away or abridge any power to open or break up any road along or across which any tramway is laid, or any other power vested in any road authority for any of the purposes for which such authority is constituted, or in any company, body, or person for the purpose of laying down, repairing, altering, or removing any pipe for the supply of gas or water, or any tubes, wires, or apparatus for telegraphic or other purposes, but in the exercise of such power every such road authority, company, body, or person shall be subject to the following restrictions; (that is to say,)

1. They shall cause as little detriment or inconvenience to the promoters and lessees as circumstances admit:
2. Before they commence any work whereby the traffic on the tramway will be interrupted they shall (except in cases of urgency, in which cases no notice shall be necessary) give to the promoters and lessees, if there be any, notice of their intention to commence such work, specifying the time at which they will begin to do so, such notice to be given eighteen hours at least before the commencement of the work:

A.D. 1870.

3. They shall not be liable to pay to the promoters or lessees any compensation for injury done to the tramway by the execution of such work, or for loss of traffic occasioned thereby, or for the reasonable exercise of the powers so vested in them as aforesaid:

4. Whenever for the purpose of enabling them to execute such work the road authority shall so require, the promoters or lessees shall either stop traffic on the tramway to which the notice shall refer, where it would otherwise interfere with such work, or shore up and secure the same at their own risk and cost during the execution of the work there: Provided that such work shall always be completed by the road authority with all reasonable expedition:

5. Any company, body, or person shall not execute such work so far as it immediately affects the tramway except under the superintendence of the promoters, unless they refuse or neglect to give such superintendence at the time specified in the notice for the commencement of the work or discontinue the same during the progress of the work; and they shall execute such work at their own expense, and to the reasonable satisfaction of the promoters: Provided that any additional expense imposed upon them by reason of the existence of the tramway in any road or place where any such mains, pipes, tubes, wires, or apparatus shall have been laid before the construction of such tramway shall be borne by the promoters.

Difference between promoters and road authority, &c.

30. If any difference arises between the promoters or lessees on the one hand and any road authority, or any gas or water company, or any company, body, or person to whom any sewer, drain, tube, wires, or apparatus for telegraphic or other purposes may belong, or any other company, on the other hand, with respect to any interference or control exercised, or claimed to be exercised, by them or him, or on their or his behalf, or by the promoters or lessees by virtue of this Act, in relation to any tramway or work, or in relation to any work or proceeding of the road authority, body, company, or person, or with respect to the propriety of or the mode of execution of any work relating to any tramway, or with respect to the amount of any compensation to be made by or to the promoters or lessees, or on the question whether any work is such as ought reasonably to satisfy the road authority, body, company, or person concerned, or with respect to any other subject or thing regulated by or comprised in this Act, the matter in

difference shall (unless otherwise specially provided by this Act) be settled by an engineer or other fit person nominated as referee by the Board of Trade on the application of either party, and the expenses of the reference shall be borne and paid as the referee directs.

PART III.

General Provisions.

Carriages.

Power for promoters to use tramways with flange-wheeled carriages, &c.

31. The promoters of tramways authorized by special Act and their lessees may use on their tramways carriages with flange wheels or wheels specially adapted to run on the rail prescribed by such Act; and, subject to the provisions of such special Act and of this Act, the promoters and their lessees shall have the exclusive use of their tramways for carriages with flange wheels or other wheels suitable only to run on the prescribed rail

All carriages used on any tramway shall be moved by the power prescribed by the special Act, and where no such power is prescribed, by animal power only.

Licences to use Tramways.

Licences to to use the tramway may in certain events be granted to third parties by the Board of Trade.

32. If at any time after any tramway or part of any tramway shall have been for three years opened for public traffic it shall be represented in writing to the Board of Trade by the road authority of any road in which such tramway or part of a tramway is laid, or by twenty inhabitant ratepayers of any parish in which such tramway or part of a tramway is laid, that the public are deprived of the full benefit of the tramway, the Board of Trade may (if they consider that, primâ facie, the case is one for inquiry) direct an inquiry by a referee under this Act into the truth of the representation, and if the referee report that the truth of the representation has been proved to his satisfaction, the Board may from time to time grant licences to any company or person to use such tramway in addition to the promoters or their lessees for the conveyance only of passsengers and their personal luggage, with carriages to be approved by the Board, subject to the following provisions, conditions, and restrictions; that is to say,

1. The licence shall be for any period not less than one year nor more than three years from the date of the licence, but shall be renewable by the Board, if they upon inquiry think fit:

A.D. 1870.

2. The licence shall be to use the whole of such tramway for the time being opened for public traffic, or such part or parts of such tramway as the Board, having reference to the cause for granting the licence, shall think right:

3. The licence shall direct the number of carriages which the licensee or licensees shall run upon such tramway, and the mode in which and times at which such carriages shall be run:

4. The licences shall specify the tolls to be paid to the promoters or to their lessees by the licensee or licensees for the use of the tramways:

5. The licensee or licensees, and their officers and servants, shall permit one person duly authorized for that purpose by the promoters, or by their lessees, to ride free of charge in or upon each carriage of the licensee or licensees run upon the tramways for the whole or any part of the journey:

6. The Board of Trade may at any time after the granting of any licence revoke, alter, or modify the same for good cause shown to them.

In default of payment of tolls licensee's carriages may be detained and sold.

33. If on demand any licensee fail to pay the tolls due in respect of any passengers carried in any carriage it shall be lawful for the promoters or their lessees, to whom the same are payable, to detain and sell such carriage, or if the same shall have been removed from the tramway or premises of such promoters or lessees to detain and sell any other carriages on such tramway or premises belonging to such licensee, and out of the moneys arising from such sale to retain the tolls payable as aforesaid, and all charges and expenses of such detention and sale, rendering the overplus (if any) of such moneys and such of the carriages as shall remain unsold to the person entitled thereto.

Licensees to give account of passengers carried by them.

34. Every licensee shall on demand give to an officer or servant authorized in that behalf by the promoters or their lessees entitled to be paid tolls by such licensee, an exact account in writing signed by such licensee of the number of passengers conveyed by any and every carriage used by him on the tramways.

Licensees not giving account of passengers carried liable to penalty.

35. If any such licensee fails to give such account to such officer or servant demanding the same as aforesaid, or if any such licensee with intent to avoid the payment of any tolls gives a false account, he shall for every such offence forfeit to the promoters, or to their lessees entitled to be paid tolls by such licensee, a sum not exceeding

five pounds, and such penalty shall be in addition to any tolls payable in respect of the passengers carried by any such carriage. A.D. 1870.

Disputes as to amount of toll to be settled by justice.

36. If any dispute arise concerning the amount of the tolls due to the promoters or to their lessees from any licensee, or concerning the charges occasioned by any detention or sale of any carriage under the provisions herein contained, the same shall be settled by a justice, and it shall be lawful for the promoters or their lessees in the meanwhile to detain the carriage, or (if the case so require) the proceeds of the sale thereof.

Owners of carriages liable for damage done by their servants.

37. Every licensee shall be answerable for any trespass or damage done by his carriages or horses, or by any of the servants or persons employed by him, to or upon the tramway, or to or upon the property of any other person, and, without prejudice to the right of action against the licensee or any other person, every such servant or other person may lawfully be convicted of such trespass or damage before a justice of the peace, either by the confession of the party offending or by the oath of some credible witness; and upon such conviction every such licensee shall pay to the promoters, lessees, or persons injured, as the case may be, the damage, to be ascertained by such justices, so that the same do not exceed fifty pounds.

Purchase of Tramways.

Future purchase of undertaking by local authority.

38. Where the promoters of a tramway in any district are not the local authority, the local authority, if, by resolution passed at a special meeting of the members constituting such local authority, they so decide, may within six months after the expiration of a period of twenty-one years from the time when such promoters were empowered to construct such tramway, and within six months after the expiration of every subsequent period of seven years, with the approval of the Board of Trade, by notice in writing require such promoters to sell, and thereupon such promoters shall sell to them their undertaking or so much of the same as is within such district, upon terms of paying the then value (exclusive of any allowance for goodwill or prospective increase in value, or any compensation for compulsory sale, or other consideration whatsoever) of the tramway, and all lands, buildings, works, materials, and plant of the promoters suitable to and used by them for the purposes of their undertaking, within such district, such value to be in case of difference determined by an engineer or other fit person nominated as referee by the Board of Trade on the applica-

A.D. 1870.

tion of either party, and the expenses of the reference to be borne and paid as the referee directs. And when any such sale has been made, all the rights, powers, and authorities of such promoters in respect to the undertaking sold shall be transferred to, vested in, and may be exercised by the authority to whom the same has been sold, in like manner as if such tramway was constructed by such authority under the powers conferred upon them by a Provisional Order under this Act, and in reference to the same they shall be deemed to be the promoters.

No such resolution shall be valid unless a month's previous notice of the meeting, and of the purpose thereof, has been given in manner in which notices of meetings of such local authority are usually given, nor unless two thirds of the members constituting such local authority are present at the meeting, and a majority of those present and voting concur in the resolution; and it shall be lawful for the chairman of any such meeting, with the consent of a majority of the members present, to adjourn the same from day to day.

The local authority in any district may pay the purchase money and all expenses incurred by them in the purchase of any undertaking under the authority of this section out of the like rate, and shall have the like powers to borrow on the security of the same as if such expenses were incurred in applying for, obtaining, and carrying into effect any Provisional Order obtained by them under this Act.

Where the local rate is limited by law to a certain amount, and is by reason of such limitation insufficient for the payment of such expenses, the Board of Trade may by Provisional Order extend the limit of such local rate to such amount as they shall think fit and prescribe for the payment of such expenses.

Every such Provisional Order shall be confirmed in like manner as a Provisional Order under the authority of Part I. of this Act, and until such confirmation such Provisional Order shall not have any operation.

Discontinuance of Tramways.

Tramways to be removed in certain cases.

39. If at any time after the opening of any tramway in any district for traffic the promoters discontinue the working of such tramway, or of any part thereof, for the space of six calendar months (such discontinuance not being occasioned by circumstances beyond the control of the promoters), it shall be lawful for the road authority of such district, on proof of such discontinuance to the satisfaction of the Board of Trade, and under the authority of a

certificate to that effect by the said Board, to remove the tramway or part of the tramway so discontinued, and the promoters shall pay to the road authority the cost of such removal and of the making good of the road by the road authority, such cost to be certified by the clerk for the time being, or by some other authorized officer of the road authority, whose certificate shall be final and conclusive; and if the promoters fail to pay the amount so certified within one calendar month after delivery to them of such certificate or a copy thereof, the road authority may, without any previous notice to the promoters (but without prejudice to any other remedy which they may have for the recovery of the amount), sell and dispose of the materials of the tramway or part of tramway removed, either by public auction or private sale, and for such sum or sums, and to such person or persons, as the road authority may think fit, and may out of the proceeds of such sale pay and reimburse themselves the amount of the cost certified as aforesaid and of the cost of sale, and the balance (if any) of the proceeds of the sale shall be paid over by the road authority to the promoters.

Insolvency of Promoters.

Proceedings in case of insolvency of promoters.

40. If at any time after the opening of any tramway in any district for traffic, it appears to the road authority of such district that the promoters of such tramway are insolvent, so that they are unable to work such tramway with advantage to the public, and such road authority makes a representation to that effect to the Board of Trade, the Board of Trade may direct an inquiry by a referee into the truth of the representation, and if the referee shall find that the promoters are so insolvent as aforesaid the Board of Trade may, by order, declare that the powers of the promoters shall, at the expiration of six calender months from the making of the order, be at an end, and the powers of the promoters shall cease and determine at the expiration of the said period; and thereupon such road authority may remove the tramway in like manner and subject to the same provisions as to the payment of the costs of such removal, and to the same remedy for recovery of such costs, in every respect as in cases of removal under the next preceding section.

Tolls.

Tolls, &c.

41. The promoters or lessees of a tramway authorized by special Act may demand and take, in respect of such tramway, tolls and charges not exceeding the sums specified in such special Act,

A.D. 1870.

subject and according to the regulations therein specified. A list of all the tolls and charges authorized to be taken shall be exhibited in some conspicuous place inside each of the carriages used upon the tramways.

Byelaws.

Byelaws by local authority.

42. Subject to the provisions of the special Act authorizing any tramway and this Act,

The local authority of any district in which the same is laid down may, from time to time, make regulations as to the following matters:

The rate of speed to be observed in travelling upon the tramway:

The distances at which carriages using the tramway shall be allowed to follow one after the other:

The stopping of carriages using the tramway:

The traffic on the road in which the tramway is laid.

Promoters.

The promoters of any tramway and their lessees may from time to time make regulations,—

For preventing the commission of any nuisance in or upon any carriage, or in or against any premises belonging to them:

For regulating the travelling in or upon any carriage belonging to them.

And for better enforcing the observance of all or any of such regulations, it shall be lawful for such local authority and promoters respectively to make byelaws for all or any of the aforesaid purposes, and from time to time repeal or alter such byelaws, and make new byelaws, provided that such byelaws be not repugnant to the laws of that part of the United Kingdom where the same are to have effect.

No such byelaw shall have any force or effect until two calendar months after a true copy of such byelaw shall have been laid before the Board of Trade, unless the said Board shall before such period signify their approbation thereof, and a true copy of every such proposed byelaw shall, within seven days after the same has been sent to the Board of Trade, be delivered to the promoters of such tramway if the same was made by the local authority, and to such local authority if made by the promoters.

Board of Trade may disallow byelaws.

43. The Board of Trade may, at any time either before or after any byelaw which has been laid before them as aforesaid has come into operation, notify their disallowance thereof, and in case the same shall be in force at the time of such disallowance the time at which the same shall cease to be in force; and no

byelaw which shall be so disallowed shall have any force or effect whatsoever, or if it shall be in force at the time of the disallowance, it shall cease to have any force or effect at the time limited in the notice of such disallowance, saving in so far as any penalty may have been then already incurred under the same. A.D. 1870.

Penalties in byelaws.

44. Any such byelaw may impose reasonable penalties for offences against the same, not exceeding forty shillings for each offence, with or without further penalties for continuing offences, not exceeding for any continuing offence ten shillings for every day during which the offence continues; but all byelaws shall be so framed as to allow in every case part only of the maximum penalty being ordered to be paid.

Power to local authority to licence drivers, conductors, &c.

45. The local authority shall have the like power of making and enforcing rules and regulations, and of granting licenses with respect to all carriages using the tramways, and to all drivers, conductors, and other persons having charge of or using the same, and to the standings for the same, as they are for the time being entitled to make, enforce, and grant with respect to hackney carriages, and the drivers and other persons having the charge thereof, and to the standings for the same in the streets and district of or under the control of the local authority.

Offences.

Penalty for obstruction of promoters in laying out tramway.

46. If any person wilfully obstructs any person acting under the authority of any promoters in the lawful exercise of their powers in setting out or making, forming, laying down, repairing, or renewing a tramway, or defaces or destroys any mark made for the purposes of setting out the line of the tramway, or wilfully damages or destroys any property of any promoters, lessees, or licensees, he shall for every such offence be liable to a penalty not exceeding five pounds.

Penalties for wilful injury or obstruction to tramways, &c.

47. If any person, without lawful excuse (the proof whereof shall lie on him), wilfully does any of the following things; (namely,)

Interferes with, removes, or alters any part of a tramway or of the works connected therewith;

Places or throws any stones, dirt, wood, refuse, or other material on any part of a tramway;

Does or causes to be done anything in such manner as to obstruct any carriage using a tramway, or to endanger the lives of persons therein or thereon;

Or knowingly aids or assists in the doing of any such thing;

he shall for every such offence be liable (in addition to any pro-

A.D. 1870.

ceedings by way of indictment or otherwise to which he may be subject) to a penalty not exceeding five pounds.

Penalty on passengers practising frauds on the promoters.

48. If any person travelling or having travelled in any carriage on any tramway avoids or attempts to avoid payment of his fare, or if any person having paid his fare for a certain distance, knowingly and wilfully proceeds in any such carriage beyond such distance, and does not pay the additional fare for the additional distance, or attempts to avoid payment thereof, or if any person knowingly and wilfully refuses or neglects on arriving at the point to which he has paid his fare to quit such carriage, every such person shall, for every such offence, be liable to a penalty not exceeding forty shillings.

Transient offenders.

49. It shall be lawful for any officer or servant of the promoters or lessees of any tramway, and all persons called by him to his assistance, to seize and detain any person discovered either in or after committing or attempting to commit any such offence as in the *next* preceding section is mentioned, and whose name or residence is unknown to such officer or servant, until such person can be conveniently taken before a justice, or until he be otherwise discharged by due course of law.

Penalty for bringing dangerous goods on the tramway.

50. No person shall be entitled to carry or to require to be carried on any tramway any goods which may be of a dangerous nature, and if any person send by any tramway any such goods without distinctly marking their nature on the outside of the package containing the same, or otherwise giving notice in writing to the book-keeper or other servant with whom the same are left at the time of such sending, he shall be liable to a penalty not exceeding twenty pounds for every such offence, and it shall be lawful for such promoters or lessees to refuse to take any parcel that they may suspect to contain goods of a dangerous nature, or require the same to be opened to ascertain the fact.

Penalty for persons using tramways with carriages with flange wheels, &c.

51. If any person (except under a lease from or by agreement with the promoters, or under licence from the Board of Trade, as by this Act provided,) uses a tramway or any part thereof with carriages having flange wheels or other wheels suitable only to run on the rail of such tramway, such person shall for every such offence be liable to a penalty not exceeding twenty pounds.

Miscellaneous.

Promoters or lessees to

52. The promoters or lessees, as the case may be, shall be answerable for all accident, damages, and injuries happening through their

act or default, or through the act or default of any person in their employment by reason or in consequence of any of their works or carriages, and shall save harmless all road and other authorities, companies, or bodies, collectively and individually, and their officers and servants, from all damages and costs in respect of such accidents, damages, and injuries. A.D. 1870. be responsible for all damages.

53. All tolls, penalties, and charges, under this Act or under any byelaw made in pursuance of this Act, may be recovered and enforced as follows; in England before two justices of the peace in manner directed by the Act of the session of the eleventh and twelfth years of the reign of Her present Majesty, chapter forty-three, intituled "An Act to facilitate the performance of the duties "of justices of the peace out of sessions within England and Wales "with respect to summary convictions and orders," and any Act amending the same, and in Scotland before the sheriff or two justices as penalties under The Railways Clauses Consolidation (Scotland) Act, 1845. Recovery of tolls, penalties, &c.

54. Notwithstanding anything in this Act contained the promoters of any tramway shall not acquire or be deemed to acquire any right other than that of user of any road along or across which they lay any tramway. Right of user only

55. Nothing in this Act shall take away or affect any power which any road authority may have by law to widen, alter, or improve any road. Reserving powers of street authorities to widen, &c. roads.

56. Nothing in this Act shall limit the powers of the local authority or police in any district to regulate the passage of any traffic along or across any road along or across which any tramways are laid down, and such police may exercise their authority as well on as off the tramway, and with respect as well to the of the promoters or of lessees as to the traffic of other persons. Power for local or police authorities to regulate traffic in roads.

57. Nothing in this Act shall take away or abridge the right of the public to pass along or across every or any part of any road along or across which any tramway is laid, whether on or off the tramway, with carriages having ordinary wheels. Reservation of right of public to use roads.

58. Every inquiry which by this Act the Board of Trade are empowered to make or direct shall be made in accordance with the following provisions: Regulating inquiries before referee appointed by the Board of Trade.

1. The inquiry shall be held before an officer to be appointed in that behalf by the Board, herein-after called the referee, and whose appointment shall be by writing, which shall specify all the matters referred to him:

A.D. 1870.

2. Ten days notice at the least shall be given by the referee to the parties upon whose representation the Board of Trade shall have directed the inquiry, of the time and place at which the inquiry is to be commenced:

3. The inquiry shall be commenced at the time and place so appointed, and the referee may adjourn the inquiry from time to time as may be necessary to such time and place as he may think fit:

4. The referee by summons shall, on the application of any party interested in the inquiry, require the attendance before himself, at a place and time to be mentioned in the summons, of any person to be examined as a witness before him, and every person summoned shall attend the referee, and answer all questions touching the matter to be inquired into:

5. The referee may and shall administer an oath, or an affirmation where an affirmation in lieu of an oath would be admitted in a court of justice, to any person tendered or summoned as a witness on the inquiry:

6. Any person who upon oath or affirmation wilfully gives false evidence before the referee shall be deemed guilty of perjury:

7. The referee shall make his report to the Board of Trade in writing, and shall deliver copies of the report upon request to all or any of the parties to the inquiry.

Rules for carrying Act into effect.

59. The Board of Trade may from time to time make, and, when made, may rescind, annul, or add to, rules with respect to the following matters:

1. The proceedings to be had before the Board under this Act:

2. The payment of money or lodgment of securities by way of deposits, the repayment and forfeiture of the same, the investment of the same, the amount and payment of interest or dividends from time to time accruing due on such deposits:

3. The plans and sections of any works to be deposited by promoters under this Act:

4. As to any other matter or thing, in respect of which it may be expedient to make rules for the purpose of carrying this Act into execution.

Any rules made in pursuance of this section shall be deemed to be within the powers conferred by this Act, and shall be of the same force as if enacted in this Act, and shall be judicially noticed.

Any rules made in pursuance of this section shall be laid before Parliament within three weeks after they are made, if Parliament be then sitting, and if Parliament be not then sitting, within three weeks after the beginning of the then next session of Parliament. A.D. 1870.

SCHEDULE A.

PART I.

Districts of Local Authorities.	Description of Local Authority District set opposite its Name.	The Local Rate.
	ENGLAND AND WALES.	
The city of London and the liberties thereof.	The Court of Lord Mayor and Aldermen.	The consolidated sewers rate.
The metropolis (1.) - -	The Metropolitan Board of Works.	The metropolitan consolidated rate.
Boroughs (2) - -	The mayor, aldermen, and burgesses, acting by the council.	The borough fund or other property applicable to the purposes of a borough rate, or the borough rate.
Any place not included in the above descriptions, and under the jurisdiction of commissioners, trustees, or other persons intrusted by any Local Act with powers of improving, cleansing, or paving any town.	The commissioners, trustees, or other persons intrusted by the Local Act with powers of improving, cleansing, or paving the town.	Any rate leviable by such commissioners, trustees, or other persons, or other funds applicable by them to the purposes of improving, cleansing, or paving the town.
Any place not included in the above descriptions, and within the jurisdiction of local board constituted in pursuance of the Public Health Act, 1848, and the Local Government Act, 1858, or one of such Acts.	The local board - -	General district rate.
Any place or parish not within the above descriptions, and in which a rate is levied for the maintenance of the poor.	The vestry, select vestry, or other body of persons, acting by virtue of any Act of Parliament, prescription, custom, or otherwise, as or instead of a vestry or select vestry.	The poor rate.

Notes.

(1.) "The metropolis" shall include all parishes and places in which the Metropolitan Board of Works have power to levy a main drainage rate, except the city of London and the liberties thereof.

(2.) "Borough" shall mean any place for the time being subject to an Act passed in the session holden in the fifth and sixth years of the reign of King William the Fourth, chapter seventy-six, intituled "An Act to provide for the Regulation of "Municipal Corporations in England and Wales."

Districts of Local Authorities.	Description of Local Authority of District set opposite its Name.	The Local Rate.
	SCOTLAND.	
Places within the jurisdiction of any town council, and not subject to the separate jurisdiction of police commissioners or trustees.	The town council.	The prison assessment or police assessment, as the local authority shall resolve.
In places within the jurisdiction of police commissioners or trustees exercising the functions of police commissioners under any General or Local Act.	The police commissioners or trustees.	
In any parish or part thereof over which the jurisdiction of a town council or of police commissioners or trustees exercising the functions of police commissioners does not extend.	The parochial board.	The assessment for the relief of the poor.

PART II.

Districts of Road Authorities.	Description of Road Authority of Districts set opposite its Name.
Parishes within the metropolis (1.) mentioned in schedule (A.) to the Metropolis Local Management Act.	The vestries appointed for the purposes of the Metropolis Local Management Act.
Districts within the metropolis (1.) formed by the union of the parishes mentioned in schedule (B.) to the Metropolis Local Management Act.	The board of works for the district appointed for the purpose of the Metropolis Local Management Act.

Note (1.)—*The term "Metropolis" has in this Part the same meaning as in Part I. of this schedule.*

SCHEDULE B.

Provisional Orders.

Part I.

Advertisement in October or November of intended application.

(1.) Every advertisement is to contain the following particulars:

1. The objects of the intended application.
2. A general description of the nature of the proposed works, if any,
3. The names of the townlands, parishes, townships, and extra-parochial places in which the proposed works, if any, will be made.
4. The times and places at which the deposit under Part II. of this schedule will be made.
5. An office, either in London or at the place to which the intended application relates, at which printed copies of the draft Provisional Order, when deposited, and of the Provisional Order, when made, will be obtainable as herein-after provided.

(2.) The whole notice is to be included in one advertisement, which is to be headed with a short title descriptive of the undertaking.

(3.) The advertisement is to be inserted once at least in each of two successive weeks in some one and the same newspaper published in the district affected by the proposed undertaking, where the proposed works (if any) will be made; or if there be no such newspaper, then in some one and the same newspaper published in the county in which every such district, or some part thereof, is situate; or if there be none, then in some one and the same newspaper published in some adjoining or neighbouring county.

(4.) The advertisement is also, in every case, to be inserted once at least in the London or Edinburgh Gazette, accordingly as the district is situate in England or Scotland.

Part II.

Deposit on or before 30th November.

(1.) The promoters are to deposit—

1. A copy of the advertisement published by them.
2. A proper plan and section of the proposed works, if any, such plan and section to be prepared according to such regulations as may from time to time be made by the Board of Trade in that behalf.

(2.) The documents aforesaid are to be deposited for public inspection—

In England, in the office of the clerk of the peace for every county, riding, or division; in Scotland, in the office of the principal sheriff clerk for every county, district, or division which will be affected by the proposed undertaking, or in which any proposed new work will be made.

(3.) The documents aforesaid are also to be deposited at the office of the Board of Trade.

Part III.

Deposit on or before 23rd December.

(1.) The promoters are to deposit at the office of the Board of Trade—

1. A memorial signed by the promoters, headed with a short title descriptive of the undertaking (corresponding with that at the head of the advertisement), addressed to the Board of Trade, and praying for a Provisional Order.
2. A printed draft of the Provisional Order as proposed by the promoters, with any schedule referred to therein.
3. An estimate of the expense of the proposed works, if any signed by the persons making the same.

(2.) They are also to deposit a sufficient number of such printed copies at the office named in that behalf in the advertisement; such copies to be there furnished to all persons applying for them at the price of not more than one shilling each.

A.D. 1870.

(3.) The memorial of the promoters (to be written on foolscap paper, bookwise, with quarter margin) is to be in the following form, with such variations as circumstances require:

[*Short title of undertaking.*]

To the Board of Trade,

The memorial of the promoters of [*short title of undertaking*]:

Sheweth as follows;

1. Your memorialists have published, in accordance with the requirements of the Tramways Act, 1870, the following advertisement:

[*Here advertisement to be set out verbatim.*]

2. Your memorialists have also deposited, in accordance with the requirements of the said Act, copies of the said advertisement and [*here state deposit of the several matters required by Act*].

Your memorialists, therefore, pray that a Provisional Order may be made in the terms of the draft proposed by your memorialists, or in such other terms as may seem meet.

A.B.
C.D.
Promoters.

Part IV.

Deposit and advertisement of Provisional Order when made.

(1.) The promoters are to deposit printed copies of the Provisional Order, when settled and made, for public inspection in the offices of clerks of the peace and sheriff clerks, where the documents required to be deposited by them under Part II. of this schedule were deposited.

(2.) They are also to deposit a sufficient number of such printed copies at the office named in that behalf in the advertisement, such copies to be there furnished to all persons applying for them at the price of each.

(3.) They are also to publish the Provisional Order as an advertisement once in the local newspaper in which the original advertisement of the intended application was published.

A

BILL

[AS AMENDED BY THE SELECT COMMITTEE]

To facilitate the construction and to regulate the working of Tramways.

(Prepared and brought in by Mr. Shaw Lefevre, Mr. Stansfeld, and Mr. Ayrton.)

Ordered, by The House of Commons, *to be Printed,* 29 *April* 1870.

[Bill 113.]

Under 4 *oz.*

A

B I L L

[WITH THE AMENDMENTS MADE BY THE LORDS]

INTITULED

An Act to facilitate the construction and to regulate the working of Tramways. A.D. 1870.

[Note.—*The Words in Italics and Clauses A. to G. were inserted by the Lords, and the Words and Clauses struck through were omitted by the Lords.*

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Preliminary.

Short title. **1.** This Act may be cited for all purposes as "The Tramways Act, 1870."

Limitation of Act. **2.** This Act shall not extend to Ireland.

Interpretation of terms. **3.** For the purposes of this Act the terms herein-after mentioned shall have the meanings herein-after assigned to them; that is to say,

The terms "local authority" and "local rate" shall mean respectively the bodies of persons and rate named in the table in Part One of the schedule (A.) to this Act annexed:

The term "road" shall mean any carriageway being a public highway, and the carriageway of any bridge forming part of *or leading to* the same:

The term "road authority" shall mean, in the districts specified in the table in Part Two of the schedule (A.) to this Act annexed, the bodies of persons named in the same table, and elsewhere any local authority, board, town council, body corporate, commissioners, trustees, vestry, or other body or persons in whom a road as defined by this Act is vested, or who have the power to maintain or repair such road:

A.D. 1870.

The term "district," in relation to a local authority or road authority, shall mean the area within the jurisdiction of such local authority or road authority:

The term "prescribed" shall mean prescribed by any rules made in pursuance of this Act:

The term "the Lands Clauses Acts" means, so far as the Provisional Order in which that term is used relates to England, The Lands Clauses Consolidation Act, 1845; and, so far as the same relates to Scotland, The Lands Clauses Consolidation (Scotland) Act, 1845; together with, in each case, The Lands Clauses Consolidation Acts Amendment Act, 1860.

The term "two justices" shall in addition to its ordinary signification mean one stipendiary or police magistrate acting in any police court for the district.

Part I.

Provisional Orders authorising the Construction of Tramways.

By whom Provisional Orders authorizing the construction of tramways may be obtained.

4. Provisional Orders authorising the construction of tramways in any district may be obtained by—

(1.) The local authority of such district; or by—

(2.) Any person, persons, corporation, or company, with the consent of the local authority of such district; *or of the road authority of such district where such district is or forms part of a highway district formed under the provisions of "The Highway Acts:"*

And any such local authority, person, persons, corporation, or company shall be deemed to be promoters of a tramway, and are in this Act referred to as "the promoters."

Application for a Provisional Order shall not be made by any local authority, ~~unless a resolution approving of the intention to make such application has been passed at a special meeting of the members constituting such local authority. No such resolution shall be valid unless a month's previous notice of the meeting, and of the purpose thereof, has been given in manner in which notices of meetings of such local authority are usually given, nor unless two thirds of the members constituting such local authority are present at the meeting and a majority of those present and voting concur in the resolution; and it shall be lawful for the chairman of any such meeting, with the consent of a majority of the members present, to adjourn the same from day to day~~ *until such application shall be approved in the manner prescribed in Part III. of the schedule (A.) to this Act annexed.*

A.D. 1870.

Where in any district there is a road authority distinct from the local authority, the consent of such road authority shall also be necessary in any case where power is sought to break up any road subject to the jurisdiction of such road authority, before any Provisional Order can be obtained.

~~Where it is proposed to lay down a tramway in any district or districts, and any local or road authority having jurisdiction within such district or districts does not consent thereto, the Board of Trade may, nevertheless, if they are satisfied after inquiry that, having regard to all the circumstances of the case, such consent ought not to be refused, dispense with the same in any application for a Provisional Order authorizing the construction of such tramway; and in such case they shall make a special report, stating the grounds upon which they have dispensed with such consent.~~

Inserted by the Lords.

Where it is proposed to lay down a tramway in two or more districts, and any local or road authority having jurisdiction in any of such districts does not consent thereto, the Board of Trade may, nevertheless, make a Provisional Order authorising the construction of such tramway if they are satisfied, after inquiry, that two thirds of the length of such tramway is proposed to be laid in a district or in districts the local and road authority or the local and road authorities of which district or districts do consent thereto; and in such case they shall make a special report stating the grounds upon which they have made such order.

Clause A. The Board of Trade may in certain cases dispense with the consent of local or road authority.

5. The promoters intending to make an application for a Provisional Order shall proceed as follows:—

Notices and deposit of documents by promoters as in schedule. 24 & 25 Vict. c. 45. 25 & 26 Vict. c. 12.

(1.) In the months of October and November next before their application, or in one of those months, they shall publish notice of their intention to make such application by advertisement, ~~according to the regulations contained in Part One of the Schedule (B.) to this Act~~: *and they shall, on or before the fifteenth day of the following month of December, serve a copy of such notice upan the owner and occupier of every house, shop, or warehouse abutting upon any road or upon the part of any road along which it is proposed to lay any tramway according to the regulations contained in Part I. of the Schedule (B.) to this Act annexed:*

(2.) On or before the thirtieth day of the same month of November they shall deposit the documents described in Part Two of the same schedule, according to the regulations therein contained:

A.D. 1870.

(3.) On or before the twenty-third day of December in the same year they shall deposit the documents described in Part Three of the same schedule, according to the regulations therein contained:

All maps, plans, and documents required by this Act to be deposited for the purposes of any Provisional Order may be deposited with the persons and in the manner directed by the Act of the session of Parliament held in the seventh year of the reign of His late Majesty King William the Fourth and the first year of Her present Majesty, intituled "An Act to compel clerks of the peace "for counties and other persons to take the custody of such documents as shall be directed to be deposited with them under the "standing orders of either House of Parliament;" and all the provisions of that Act shall apply accordingly.

Power for Board of Trade to determine on application and on objection. 24 & 25 Vict. c. 45. 25 & 26 Vict. c. 19.

6. The Board of Trade shall consider the application, and may, if they think fit, direct an inquiry in the district to which the same relates, or may otherwise inquire as to the propriety of proceeding upon such application, and they shall consider any objection thereto that may be lodged with them on or before such day as they from time to time appoint, and shall determine whether or not the promoters may proceed with the application.

Power for Board of Trade to make Provisional Order.

7. Where it appears to the Board of Trade expedient and proper that the application should be granted, with or without addition or modification, or subject or not to any restriction or condition, the Board of Trade may settle and make a Provisional Order accordingly.

Form and contents of Provisional Order. 24 & 25 Vict. c. 45. 25 & 26 Vict. c. 19.

Every such Provisional Order shall empower the promoters therein specified to make the tramway upon the gauge, and in manner therein described, and shall contain such provisions as (subject to the requirements of this Act) the Board of Trade, according to the nature of the application and the facts and circumstances of each case, think fit to submit to Parliament for confirmation in manner provided by this Act; but so that any such Provisional Order shall not contain any provision for empowering the promoters or any other person to acquire lands otherwise than by agreement, or to acquire any lands, even by agreement, except to an extent therein limited, or to construct a tramway elsewhere than along or across a road, or upon land taken by agreement.

Clause B. Regulations as to construction of tramways in towns.

Every tramway in a town which is hereafter authorised by Provisional Order shall be constructed and maintained as nearly as may be in the middle of the road; and no tramway shall be authorised by any Provisional Order to be so laid that for a distance of

Inserted by the Lords.

Dissent of the Lords.

thirty feet or upwards a less space than nine feet and six inches shall intervene between the outside of the footpath on either side of the road and the nearest rail of the tramway if one third of the owners or one third of the occupiers of the houses, shops, or warehouses abutting upon the part of the road where such less space shall intervene as aforesaid shall in the prescribed manner and at the prescribed time express their dissent from any tramway being so laid.

Nature of traffic on tramway and tolls to be specified in Provisional Order.

8. Every such Provisional Order shall specify the nature of the traffic for which such tramway is to be used, and the tolls and charges which may be demanded and taken by the promoters in respect of the same, and shall contain such regulations relating to such traffic and such tolls and charges as the Board of Trade shall deem necessary and proper.

Costs of Order. 24 & 25 Vict. c. 45. 25 & 26 Vict. c. 18.

9. The costs of and connected with the preparation and making of each Provisional Order shall be paid by the promoters, and the Board of Trade may require the promoters to give security for such costs before they proceed with the Provisional Order.

Promoters to deposit 4*l.* per cent. on estimate in prescribed bank.

10. After a Provisional Order is ready, and before the same is delivered by the Board of Trade, the promoters, unless they are a local authority, shall within the prescribed time and in the prescribed manner, and subject to the prescribed conditions as to interest, repayment, or forfeiture, pay, as a deposit, into the prescribed bank, the sum of money prescribed, which shall not be less than four pounds per centum on the amount of the estimate by the promoters of the expense of the construction of the tramway, or deposit in such bank any security of the prescribed nature the then value of which is not less than such sum of money.

Publication of Provisional Order as in schedule.

11. When a Provisional Order has been made as aforesaid and delivered to the promoters, the promoters shall forthwith publish the same by deposit and advertisement, according to the regulations contained in Part Four of the schedule (B.) to this Act.

Confirmation of Provisional Order by Act of Parliament. 24 & 25 Vict. c. 45. 25 & 26 Vict. c. 19.

12. On proof to the satisfaction of the Board of Trade of the completion of such publication as aforesaid, the Board of Trade shall, as soon as they conveniently can after the expiration of seven days from the completion of such publication, procure a Bill to be introduced into either House of Parliament *not later than the first of May in any year* for an Act to confirm the Provisional Order, which shall be set out at length in the schedule to the Bill; and until confirmation, *with or without amendment*, by Act of Parliament a Provisional Order under this Act shall not have any operation.

A.D. 1870.

If while any such Bill is pending in either House of Parliament a petition is presented against any Provisional Order comprised therein, the Bill, so far as it relates to the order petitioned against, may be referred to a select committee, and the petitioner shall be allowed to appear and oppose as in the case of a Bill for a special Act.

The Act of Parliament confirming a Provisional Order under this Act shall be deemed a Public General Act.

Incorporation of General Acts in Provisional Order.

13. The provisions of The Lands Clauses Acts shall be incorporated with every Provisional Order under this Act, save where the same are expressly varied or excepted by any such Provisional Order, and except as to the following provisions, namely,—

(1.) With respect to the purchase and taking of lands otherwise than by agreement:

(2.) With respect to the entry upon lands by the promoters of the undertaking.

For the purposes of such incorporation a Provisional Order under this Act shall be deemed the Special Act.

Power of Board of Trade to revoke, amend, extend, or vary Provisional Order.

14. The Board of Trade on the application of any promoters empowered by a Provisional Order may from time to time revoke, amend, extend, or vary such Provisional Order by a further Provisional Order.

Every application for such further Provisional Order shall be made in like manner and subject to the like conditions as the application for the former Provisional Order.

Every such further Provisional Order shall be made and confirmed in like manner in every respect as the former Provisional Order, and until such confirmation such further Provisional Order shall not have any operation.

Power to authorize joint work.

15. Subject and according to the provisions of this Act, the Board of Trade may, on a joint application, or on two or more separate applications, settle and make a Provisional Order empowering two or more local authorities, respectively, jointly to construct the whole, or separately to construct parts, of a tramway, and jointly or separately to own the whole or parts thereof; and all the provisions of this Act which relate to the construction of tramways shall extend and apply to the construction of the whole and the separate parts of such tramway as last aforesaid; and the form of the Provisional Order may be adapted to the circumstances of the case.

Cesser of powers at expiration

16. If the promoters, empowered by any Provisional Order under this Act to make a tramway, do not, within two years from the

date of the same, or within any shorter period prescribed therein, complete the tramway and open it for public traffic; or,

of prescribed time.

If within one year from the date of the Provisional Order, or within such shorter time as is prescribed in the same, the works are not substantially commenced; or,

If the works having been commenced are suspended without a reason sufficient in the opinion of the Board of Trade to warrant such suspension;

the powers given by the Provisional Order to the promoters for constructing such tramway, executing such works, or otherwise in relation thereto, shall cease to be exercised, except as to so much of the same as is then completed, unless the time be prolonged by the special direction of the Board of Trade; *and as to so much of the same as is then completed the Board of Trade may allow the said powers to continue and to be exercised if they shall think fit, but failing such permission the same shall cease to be exercised, and where such permission is withheld then so much of the said tramway as is then completed shall be deemed to be a tramway to which all the provisions of this Act relating to the discontinuance of tramways after proof of such discontinuance shall apply, and may be dealt with accordingly.*

A ~~statement in writing~~ *notice purporting to be published* by the Board of Trade *in the London or Edinburgh Gazette, accordingly as the district to which it relates is situate in England or Scotland,* to the effect that a tramway has not been completed and opened for public traffic, or that the works have not been substantially commenced, or that they have been suspended without sufficient reason, shall be conclusive evidence for the purposes of this section of such non-completion, non-commencement, or suspension.

Local authority may lease or take tolls.

17. When a tramway has been completed under the authority of a Provisional Order by any local authority, *or where any local authority has under the provisions of this Act acquired possession of any tramway,* such authority may, with the consent of the Board of Trade, and subject to the provisions of this Act, by lease *to be approved of by the Board of Trade,* demise to any person, persons, corporation, or company the right of user by such person, persons, corporation, or company of the tramway, and of demanding and taking in respect of the same the tolls and charges authorized; or such authority may leave such tramway open to be used by the public, and may in respect of such user demand and take the tolls and charges authorized; but nothing in this Act contained shall authorize any local authority to place or run carriages upon such

A.D. 1870.

tramway, and to demand and take tolls and charges in respect of the use of such carriages.

Notice of the intention to make such lease shall be published by the local authority by advertisement, and a copy of such lease shall be deposited according to the regulations contained in Part I. of the Schedule (C.) to this Act annexed; and unless such notice is given, and such copy deposited, such lease shall not be approved of by the Board of Trade.

Every such lease shall be made for a term or for terms not exceeding in the whole twenty-one years ~~from the date of the confirmation of the Provisional Order~~.

~~At the expiration~~ *On the determination* of any lease made under this Act, the local authority may from time to time, with the consent of the Board of Trade, by lease, demise such rights for such further term or terms, not exceeding in any case twenty-one years, as the said Board may approve.

Every such lease shall imply a condition of re-entry if at any time after the making of the same the lessees discontinue the working of the tramway leased, or of any part thereof, for the space of ~~six~~ *three* calendar months (such discontinuance not being occasioned by circumstances beyond the control of such lessees, *for which purpose the want of sufficient funds shall not be considered a circumstance beyond their control*).

The person, persons, corporation, or company to whom any such lease may be made are in this Act referred to as "lessees."

How expenses to be defrayed.

18. Where the local authority in any district are the promoters of any tramway, they shall pay all expenses incurred by them in applying for and obtaining a Provisional Order, and carrying into effect the purposes of such Provisional Order, out of the local rate, and any such expenses shall be deemed to be purposes for which such local rate may be made, and to which the same may be applied.

Where the local rate is limited by law to a certain amount, and is by reason of such limitation insufficient for the payment of such expenses, the Board of Trade may, by the Provisional Order, extend the limit of such local rate to such amount as they shall think fit, and prescribe for the payment of such expenses.

Such local authority may, for the purposes of such Provisional Order, borrow and take up at interest, on the credit of such local rate, any sums of money necessary for defraying any such expenses; and for the purpose of securing the repayment of any sums so borrowed, together with such interest as aforesaid, such local authority may mortgage to the persons by or on behalf of

whom such sums are advanced such local rate; but the exercise of the above-*mentioned* power shall be subject to the following regulations:

(1.) The money so borrowed shall not exceed such sum as may be sanctioned by the Board of Trade:

(2.) The money may be borrowed for such time, not exceeding thirty years, as such local authority, with the sanction of the Board of Trade, *shall* determine; and, subject as aforesaid *to the repayment within thirty years*, such local authority may either pay off the moneys so borrowed by equal annual instalments, or they may in every year set apart as a sinking fund, and accumulate in the way of compound interest by investing the same in the purchase of exchequer bills or other government securities, such sum as will be sufficient to pay off the moneys so borrowed, or a part thereof, at such times as the local authority may determine.

The provisions of "The Commissioners Clauses Act, 1847," with respect to the mortgages to be executed by the Commissioners, shall apply to any mortgage executed under the foregoing provisions of this section, and for the purposes of such application the said provisions shall be incorporated with this Act.

For the purposes of such incorporation, the terms "the special Act," and "the Commissioners," shall be construed to mean respectively a Provisional Order under this Act, and the local authority.

Such local authority shall keep separate accounts of all moneys paid by them in applying for, obtaining, and carrying into effect any such Provisional Order, and in the repayment of moneys borrowed, and of all moneys received by them by way of rent or tolls in respect of the tramway authorized thereby.

When, after payment of all charges incurred under the authority of this Act, and necessary for giving effect to such Provisional Order, there shall be remaining in the hands of such local authority any of the moneys received by them by way of rent or tolls in respect of the tramway authorized by such Provisional Order, such moneys shall be applied by them to the purposes for which the local rate may be by them applied.

Metropolitan Board may, for carrying Provisional Order into effect, create

19. The Metropolitan Board of Works may, in order to raise money for the purpose of carrying into effect the purposes of any Provisional Order obtained by them, create additional stock, not exceeding in the whole three hundred thousand pounds, under

A.D. 1870.

stock under Loans Act of 1869.

"The Metropolitan Board of Works (Loans) Act, 1869," in like manner, and with the like sanction, in and with which they may create stock in order to raise money for the purposes of the Acts mentioned in the first schedule to that Act; and all the provisions of that Act shall apply as if that money were raised and that stock were created for the purposes of the last-mentioned Acts, with the exception that the money required for the purposes of any such Provisional Order may be borrowed by them in addition to the sum limited by section thirty-eight of "The Metropolitan Board of Works (Loans) Act, 1869."

Part II.

Construction of Tramways.

As to incorporation of Parts II. and III. with Provisional Order and special Acts.

20. Part II. and Part III. of this Act shall apply to every tramway which is hereafter authorized by any Provisional Order or Act of Parliament, and shall be incorporated with such Provisional Order or Act, and all the said provisions of this Act, save so far as they shall be expressly varied or excepted by any such Provisional Order or Act, shall apply to the undertaking authorized thereby, so far as the same shall be applicable to such undertaking, and shall, with the provisions of every other Act or part of any Act which shall be incorporated therewith, form part of the said Provisional Order or Act, and be construed therewith as forming one Provisional Order or Act, as the case may be.

"Special Act:"

21. In Part II. and Part III. of this Act, the term "special Act" shall be construed to mean any Act of Parliament which shall be hereafter passed or any Provisional Order authorizing the construction of a tramway, and with which the said parts of this Act shall be incorporated as aforesaid:

"Promoters."

22. The term "the promoters" shall mean any person, persons, corporation, company, or local authority authorized by special Act to construct a tramway.

Mode of formation of tramways.

23. Every tramway which is hereafter authorized by special Act shall be constructed on such gauge as may be prescribed by such special Act, and if no gauge is thereby prescribed, on ~~the~~ *such* gauge *as will admit of the use upon such tramways of carriages constructed for use upon railways of a guage* of four feet eight inches and half an inch, and shall be laid and maintained in such manner that the uppermost surface of the rail shall be on a level with the surface of the road, and shall not be opened for public traffic until the same has been inspected and certified to be fit for such traffic, in the prescribed manner.

A.D. 1870.

Power to break up streets, &c.

24. The promoters from time to time, for the purpose of making, forming, laying down, maintaining, and renewing any tramway duly authorized, or any part or parts thereof respectively, may open and break up any road, subject to the following regulations :

1. They shall give to the road authority notice of their intention, specifying the time at which they will begin to do so, and the portion of road proposed to be opened or broken up, such notice to be given seven days at least before the commencement of the work :
2. They shall not open, or break up, or alter the level of any road, except under the superintendence and to the reasonable satisfaction of the road authority, unless that authority refuses or neglects to give such superintendence at the time specified in the notice, or discontinues the same during the work :
3. They shall pay all reasonable expenses to which the road authority is put on account of such superintendence :
4. They shall not, without the consent of the road authority open or break up at any one time a greater length than one hundred yards of any road which does not exceed a quarter of a mile in length, and in the case of any road exceeding a quarter of a mile in length the promoters shall leave an interval of at least a quarter of a mile between any two places at which they may open or break up the road, and they shall not open or break up at any such place a greater length than one hundred yards.

Where the carriageway over any bridge forms part of or is a road within the jurisdiction of a road authority, but such bridge is vested in some person or persons, corporation, or company, distinct from such road authority, any work which the promoters may be empowered to construct, and which affects or in anywise interferes with the structural works of such bridge, shall be constructed under the superintendence (at the cost of the promoters) and to the reasonable satisfaction of such person, persons, corporation, or company, unless after notice to be given by the promoters seven days at least before the commencement of such work such superintendence is refused or withheld.

Inserted by the Lords.

Where the carriageway in or upon which any tramway is proposed to be formed or laid down is crossed by any railway or tramway on the level, any work which the promoters may be empowered to construct, and which affects or in anywise interferes with such railway or tramway, or the traffic thereon, shall be constructed and maintained under the superintendence (at the cost of the promoters)

A.D. 1870.

and to the reasonable satisfaction of the person, corporation, or company owning such railway or tramway, unless after notice to be given by the promoters seven days at least before the commencement of such work such superintendence is refused or withheld.

Inserted by the Lords.

Completion of works and reinstatement of road.

25. When the promoters have opened or broken up any portion of any road, they shall be under the following further obligations; namely,

1. They shall, with all convenient speed, and in all cases within ~~six~~ *four* weeks at the most (unless the road authority otherwise consents in writing) complete the work on account of which they opened or broke up the same, and (subject to the formation, maintenance, or renewal of the tramway) fill in the ground and make good the surface, and, to the satisfaction of the road authority, restore the portion of the road to as good condition as that in which it was before it was opened or broken up, and clear away all surplus paving or metalling material or rubbish occasioned thereby:
2. They shall in the meantime cause the place where the road is opened or broken up to be fenced and watched, and to be properly lighted at night:
3. They shall bear or pay all reasonable expenses of the repair of the road for six months after the same is restored, as far as those expenses are increased by the opening or breaking up.

If the promoters aforesaid fail to comply in any respect with the provisions of the present section, they shall for every such offence (without prejudice to the enforcement of specific performance of the requirements of this Act or to any other remedy against them) be liable to a penalty not exceeding twenty pounds, and to a further penalty not exceeding five pounds for each day during which any such failure continues after the first day on which such penalty is incurred.

Repair of part of road where tramway is laid.

26. The promoters shall, at their own expense, at all times maintain and keep in good condition and repair, with such materials and in such manner as the road authority shall direct, and to their satisfaction, so much of any road whereon any tramway belonging to them is laid as lies between the rails of the tramway and (where two tramways are laid by the same promoters in any road at a distance of not more than four feet from each other) the portion of the road between the tramways, and in every case so much of the road as extends eighteen inches beyond the rails of and on each side of any such tramway. *If the promoters abandon*

their undertaking, or any part of the same, and take up any tramway or any part of any tramwag belonging to them, they shall with all convenient speed, and in all cases within six weeks at the most (unless the road authority otherwise consents in writing), fill in the ground and make good the surface, and, to the satisfaction of the road authority, restore the portion of the road upon which such tramway was laid to as good a condition as that in which it was before such tramway was laid thereon, and clear away all surplus paving or metalling material or rubbish occasioned by such work; and they shall in the meantime cause the place where the road is opened or broken up to be fenced and watched, and to be properly lighted at night: Provided always, that if ~~they~~ *the promoters* fail to comply with the provisions of this section, the road authority, if they think fit, may themselves at any time, after seven days notice to the promoters, open and break up the road, and do the works necessary for the repair and maintenance *or restoration* of the road, to the extent in this section above mentioned, and the expense incurred by the road authority in so doing shall be repaid to them by the promoters.

Road authority and promoters may contract for paving roads on which tramways are laid.

27. The road authority on the one hand and the promoters on the other hand may from time to time enter into and carry into effect, and from time to time alter, renew, or vary, contracts, agreements, or arrangements with respect to the paving and keeping in repair of the whole or any portion of the roadway of any road on which the promoters shall lay any tramway, and the proportion to be paid by either of them of the expense of such paving and keeping in repair.

Provision as to gas and water companies

28. For the purpose of making, forming, laying down, maintaining, repairing, or renewing any of their tramways, the promoters may from time to time, where and as far as it is necessary, *or may appear expedient for the purpose of preventing frequent interruption of the traffic by repairs or works in connexion with the same,* alter the position of any mains or pipes for the supply of gas or water, or any tube, wires, or apparatus for telegraphic or other purposes, subject to the provisions of this Act, and also subject to the following restrictions; (that is to say,)

1. Before laying down a tramway in a road in which any mains or pipes, tubes, wires, or apparatus may be laid, the promoters shall, whether they contemplate altering the position of any such mains or pipes, wires, or apparatus, or not, give seven days notice to the company, persons, or person to whom such mains or pipes, tubes, wires, or apparatus may belong or by whom they are controlled, of their intention to lay down or alter the tramway, and shall at the same time

A.D. 1870.

deliver a plan and section of the proposed work. If it should appear to any such company or person that the construction of the tramway as proposed would endanger ~~the same~~ *any such main or pipe, tube, wire, or apparatus,* or interfere with or impede the supply of water or gas or the telegraphic or other communication, such company or person (as the case may be) may give notice to the promoters to lower or otherwise alter the position of the said mains or pipes, tubes, wires, or apparatus in such manner as may be considered necessary, and any difference as to the necessity of any such lowering or alteration shall be settled in manner provided by this Act for the settlement of differences between the promoters and other companies or persons, and all alterations to be made under this section shall be made with as little detriment and inconvenience to the company or person to whom such mains or pipes, tubes, wires, or apparatus may belong, or by whom the same are controlled, or to the inhabitants of the district, as the circumstances will admit, and under the superintendence of such company or person or of their surveyor or engineer if they or he think fit to attend, after receiving not less than forty-eight hours notice for that purpose, which notice the promoters are hereby required to give:

2. The promoters shall not remove or displace any of the mains or pipes (~~other than private service pipes~~), valves, syphons, plugs, tubes, wires, or apparatus, or other works belonging to or controlled by any such company or person, or do anything to impede the passage of water or gas or the telegraphic or other communication into or through such mains or pipes, without the consent of such company or person, or in any other manner than such company or person shall approve, until good and sufficient mains, pipes, valves, syphons, plugs, and other works necessary or proper for continuing the supply of water or gas or telegraphic or other communication, as sufficiently as the same was supplied by the mains or pipes, tubes, wires, or apparatus proposed to be removed or displaced, shall at the expense of the promoters have been first made and laid down in lieu thereof and ready for use, and to the satisfaction of the surveyor or engineer of such water or gas or other company, or of such person, or, in case of disagreement between such surveyor or engineer and the promoters, as an engineer appointed by the Board of Trade shall direct:

3. The promoters shall not lay down any such pipes contrary to the regulations of any Act of Parliament relating to such water or gas or other company, or relating to telegraphs:

4. The promoters shall make good all damage done by them to property belonging to or controlled by any such company or person, and shall make full compensation to all parties for any loss or damage which they may sustain by reason of any interference with such property, or with the private service pipes of any person supplied by any such company or person with water or gas:

5. If by any such operations as aforesaid the promoters interrupt the supply of water or gas in or through any main or main pipe they shall be liable to a penalty not exceeding twenty pounds for every day upon which such supply shall be so interrupted.

For protection of sewers, &c.

29. Where in any district any tramway or any work connected therewith interferes with any sewer, drain, watercourse, subway, defence, or work in such district, or in any way affects the sewerage or drainage of such district, the promoters shall not commence any tramway or work until they shall have given to the proper authority fourteen days previous notice in writing of their intention to commence the same, by leaving such notice at the principal office of such authority with all necessary particulars relating thereto, nor until such authority shall have signified their approval of the same, unless such authority do not signify their approval, disapproval, or other directions within fourteen days after service of the said notice and particulars as aforesaid, and the promoters shall comply with and conform to all reasonable directions and regulations of the said authority in the execution of the said works, and shall provide by new, altered, or substituted works, in such manner as such authority shall reasonably require, for the proper protection of and for preventing injury or impediment to the sewers and works hereinbefore referred to, by or by reason of the tramways, and shall save harmless the said authority against all and every the expense to be occasioned thereby; and all such works shall be done under the direction, superintendence, and control of the engineer or other officer or officers of the said authority, at the reasonable costs, charges, and expenses in all respects of the promoters; and when any new, altered, or substituted work as aforesaid, or any works or defence connected therewith, shall be completed by or at the costs, charges, or expenses of the promoters, under the provisions

A.D. 1870.

of this Act, the same shall thereafter be as fully and completely under the direction, jurisdiction, and control of the said authority and be maintained by them as any sewers or works.

Rights of authorities and companies, &c. to open roads.

30. Nothing in this Act shall take away or abridge any power to open or break up any road along or across which any tramway is laid, or any other power vested in any *local authority or* road authority for any of the purposes for which such authority is *respectively* constituted, or in any company, body, or person for the purpose of laying down, repairing, altering, or removing any pipe for the supply of gas or water, or any tubes, wires, or apparatus for telegraphic or other purposes, but in the exercise of such power every such *local authority*, road authority, company, body, or person shall be subject to the following restrictions; (that is to say,)

1. They shall cause as little detriment or inconvenience to the promoters and lessees as circumstances admit:
2. Before they commence any work whereby the traffic on the tramway will be interrupted they shall (except in cases of urgency, in which cases no notice shall be necessary) give to the promoters and lessees, if there be any, notice of their intention to commence such work, specifying the time at which they will begin to do so, such notice to be given eighteen hours at least before the commencement of the work:
3. They shall not be liable to pay to the promoters or lessees any compensation for injury done to the tramway by the execution of such work, or for loss of traffic occasioned thereby, or for the reasonable exercise of the powers so vested in them as aforesaid:
4. Whenever for the purpose of enabling them to execute such work the *local authority or the* road authority shall so require, the promoters or lessees shall either stop traffic on the tramway to which the notice shall refer, where it would otherwise interfere with such work, or shore up and secure the same at their own risk and cost during the execution of the work there: Provided that such work shall always be completed by the *local authority or the* road authority, *as the case may be*, with all reasonable expedition:
5. Any company, body, or person shall not execute such work so far as it immediately affects the tramway except under the superintendence of the promoters, unless they refuse or neglect to give such superintendence at the time specified in the notice for the commencement of the work or discontinue

the same during the progress of the work; and they shall execute such work at their own expense, and to the reasonable satisfaction of the promoters: Provided that any additional expense imposed upon them by reason of the existence of the tramway in any road or place where any such mains, pipes, tubes, wires, or apparatus shall have been laid before the construction of such tramway shall be borne by the promoters.

Difference between promoters and road authority, &c.

31. If any difference arises between the promoters or lessees on the one hand and any *local authority or* road authority, or any gas or water company, or any company, body, or person to whom any sewer, drain, tube, wires, or apparatus for telegraphic or other purposes may belong, or any other company, on the other hand, with respect to any interference or control exercised, or claimed to be exercised, by them or him, or on their or his behalf, or by the promoters or lessees by virtue of this Act, in relation to any tramway or work, or in relation to any work or proceeding of the *local authority*, road authority, body, company, or person, or with respect to the propriety of or the mode of execution of any work relating to any tramway, or with respect to the amount of any compensation to be made by or to the promoters or lessees, or on the question whether any work is such as ought reasonably to satisfy the *local authority*, road authority, body, company, or person concerned, or with respect to any other subject or thing regulated by or comprised in this Act, the matter in difference shall (unless otherwise specially provided by this Act) be settled by an engineer or other fit person nominated as referee by the Board of Trade on the application of either party, and the expenses of the reference shall be borne and paid as the referee directs.

Part III.

General Provisions.

Carriages.

Power for promoters to use tramways with flange-wheeled carriages, &c.

32. The promoters of tramways authorised by special Act and their lessees may use on their tramways carriages with flange wheels or wheels ~~specially adapted~~ *suitable only* to run on the rail prescribed by such Act; and, subject to the provisions of such special Act and of this Act, the promoters and their lessees shall have the exclusive use of their tramways for carriages with flange wheels or other wheels suitable only to run on the prescribed rail.

A.D. 1870.

All carriages used on any tramway shall be moved by the power prescribed by the special Act, and where no such power is prescribed, by animal power only.

No carriage used on any tramway which is hereafter authorised by special Act shall extend beyond the outer edge of the wheels of such carriage more than eleven inches on each side.

Licences to use Tramways.

Licences to use the tramway may in certain events be granted to third parties by the Board of Trade.

33. If at any time after any tramway or part of any tramway shall have been for three years opened for public traffic *in any district* it shall be represented in writing to the Board of Trade by the *local authority of such district or by twenty inhabitant ratepayers of such district, or by the* road authority of any road in which such tramway or part of a tramway is laid, ~~or by twenty inhabitant ratepayers of any district in which such tramway or part of a tramway is laid,~~ that the public are deprived of the full benefit of the tramway, the Board of Trade may (if they consider that, primâ facie, the case is one for inquiry) direct an inquiry by a referee under this Act into the truth of the representation, and if the referee report that the truth of the representation has been proved to his satisfaction, the Board may from time to time grant licences to any company or person to use such tramway in addition to the promoters or their lessees, for ~~the conveyance only of passengers and their personal luggage,~~ *such traffic as is authorized by the special Act*, with carriages to be approved by the Board, subject to the following provisions, conditions, and restrictions; that is to say,

1. The licence shall be for any period not less than one year nor more than three years from the date of the licence, but shall be renewable by the Board, if they upon inquiry think fit:
2. The licence shall be to use the whole of such tramway for the time being opened for public traffic, or such part or parts of such tramway as the Board, having reference to the cause for granting the licence, shall think right:
3. The licence shall direct the number of carriages which the licensee or licensees shall run upon such tramway, and the mode in which and times at which such carriages shall be run:
4. The licences shall specify the tolls to be paid to the promoters or to their lessees by the licensee or licensees for the use of the tramways:
5. The licensee or licensees, and their officers and servants, shall permit one person duly authorized for that purpose by the

promoters, or by their lessees, to ride free of charge in or upon each carriage of the licensee or licensees run upon the tramways for the whole or any part of the journey:

6. The Board of Trade may at any time after the granting of any licence revoke, alter, or modify the same for good cause shown to them.

In default of payment of tolls licensee's carriages may be detained and sold.

34. If on demand any licensee fail to pay the tolls due in respect of any passengers carried in any carriage it shall be lawful for the promoters or their lessees, to whom the same are payable, to detain and sell such carriage, or if the same shall have been removed from the tramway or premises of such promoters or lessees, to detain and sell any other carriages on such tramway or premises belonging to such licensee, and out of the moneys arising from such sale to retain the tolls payable as aforesaid, and all charges and expenses of such detention and sale, rendering the overplus (if any) of such moneys and such of the carriages as shall remain unsold to the person entitled thereto.

Licensees to give account of passengers carried by them.

35. Every licensee shall on demand give to an officer or servant authorized in that behalf by the promoters or their lessees entitled to be paid tolls by such licensee, an exact account in writing signed by such licensee of the number of passengers conveyed by any and every carriage used by him on the tramways.

Licensees not giving account of passengers carried liable to penalty.

36. If any such licensee fails to give such account to such officer or servant demanding the same as aforesaid, or if any such licensee with intent to avoid the payment of any tolls gives a false account, he shall for every such offence forfeit to the promoters, or to their lessees entitled to be paid tolls by such licensee, a sum not exceeding five pounds, and such penalty shall be in addition to any tolls payable in respect of the passengers carried by any such carriage.

Disputes as to amount of toll to be settled by justice.

37. If any dispute arise concerning the amount of the tolls due to the promoters or to their lessees from any licensee, or concerning the charges occasioned by any detention or sale of any carriage under the provisions herein contained, the same shall be settled *in England* by ~~a justice,~~ *two justices, and in Scotland by the sheriff or two justices*, and it shall be lawful for the promoters or their lessees in the meanwhile to detain the carriage, or (if the case so require) the proceeds of the sale thereof.

Owners of carriages liable for damage done by their servants.

38. Every licensee shall be answerable for any trespass or damage done by his carriages or horses, or by any of the servants or persons employed by him, to or upon the tramway, or to or upon the property of any other person, and, without prejudice to the

A.D. 1870.

right of action against the licensee or any other person, every such servant or other person may lawfully be convicted of such trespass or damage *in England* before ~~a justice of the peace,~~ *two justices and in Scotland before the sheriff or two justices*, either by the confession of the party offending or by the oath of some credible witness; and upon such conviction every such licensee shall pay to the promoters, lessees, or persons injured, as the case may be, the damage, to be ascertained by such justices, so that the same do not exceed fifty pounds.

Discontinuance of Tramways.

Clause C. Tramways to be removed in certain cases.

If at any time after the opening of any tramway in any district for traffic the promoters discontinue the working of such tramway, or of any part thereof, for the space of three calendar months (such discontinuance not being occasioned by circumstances beyond the control of such promoters, for which purpose the want of sufficient funds shall not be considered a circumstance beyond their control), and such discontinuance is proved to the satisfaction of the Board of Trade, the said Board, if they think fit, may by order declare that the powers of the promoters in respect of such tramway or the part thereof so discontinued shall, from the date of such order, be at an end, and thereupon the said powers of the promoters shall cease and determine, unless the same are purchased by the local authority in manner by this Act provided. Where any such order has been made, the road authority of such district may at any time after the expiration of two months from the date of such order, under the authority of a certificate to that effect by the Board of Trade, remove the tramway or part of the tramway so discontinued, and the promoters shall pay to the road authority the cost of such removal and of the making good of the road by the road authority, such cost to be certified by the clerk for the time being, or by some other authorized officer of the road authority, whose certificate shall be final and conclusive; and if the promoters fail to pay the amount so certified within one calendar month after delivery to them of such certificate or a copy thereof, the road authority may, without any previous notice to the promoters (but without prejudice to any other remedy which they may have for the recovery of the amount), sell and dispose of the materials of the tramway or part of tramway removed, either by public auction or private sale, and for such sum or sums, and to such person or persons, as the road authority may think fit, and may out of the proceeds of such sale pay and reimburse themselves the amount of the cost certified as aforesaid and of the cost

Inserted by the Lords.

of sale, and the balance (if any) of the proceeds of the sale shall be paid over by the road authority to the promoters.

Insolvency of Promoters.

Clause D. Proceedings in case of insolvency of promoters.

If at any time after the opening of any tramway in any district for traffic, it appears to the local authority or the road authority of such district that the promoters of such tramway are insolvent, so that they are unable to maintain such tramway, or work the same with advantage to the public, and such road authority makes a representation to that effect to the Board of Trade, the Board of Trade may direct an inquiry by a referee into the truth of the representation, and if the referee shall find that the promoters are so insolvent as aforesaid, the Board of Trade may, by order, declare that the powers of the promoters shall, at the expiration of six calendar months from the making of the order, be at an end, and the powers of the promoters shall cease and determine at the expiration of the said period, unless the same are purchased by the local authority in manner by this Act provided; and thereupon such road authority may remove the tramway in like manner and subject to the same provisions as to the payment of the costs of such removal, and to the same remedy for recovery of such costs, in every respect as in cases of removal under the next preceding section.

Inserted by the Lords.

Purchase of Tramways.

Future purchase of undertaking by local authority.

39. Where the promoters of a tramway in any district are not the local authority, the local authority, if, by resolution passed at a special meeting of the members constituting such local authority, they so decide, may within six months after the expiration of a period of twenty-one years from the time when such promoters were empowered to construct such tramway, and within six months after the expiration of every subsequent period of seven years, *or within three months after any order made by the Board of Trade under either of the two next preceding sections*, with the approval of the Board of Trade, by notice in writing require such promoters to sell, and thereupon such promoters shall sell to them their undertaking, or so much of the same as is within such district, upon terms of paying the then value (exclusive of any allowance for ~~goodwill or prospective increase in value~~ *past or future profits of the undertaking*, or any compensation for compulsory sale, or other consideration whatsoever) of the tramway, and all lands, buildings, works, materials, and plant of the promoters suitable to and used by them for the purposes of

A.D. 1870.

their undertaking within such district, such value to be in case of difference determined by an engineer or other fit person nominated as referee by the Board of Trade on the application of either party, and the expenses of the reference to be borne and paid as the referee directs. And when any such sale has been made, all the rights, powers, and authorities of such promoters in respect to the undertaking sold, *or where any order has been made by the Board of Trade under either of the next preceding sections, all the rights, powers, and authorities of such promoters previous to the making of such order in respect to the undertaking sold,* shall be transferred to, vested in, and may be exercised by the authority to whom the same has been sold, in like manner as if such tramway was constructed by such authority under the powers conferred upon them by a Provisional Order under this Act, and in reference to the same they shall be deemed to be the promoters.

No such resolution shall be valid unless a month's previous notice of the meeting, and of the purpose thereof, has been given in manner in which notices of meetings of such local authority are usually given, nor unless two thirds of the members constituting such local authority are present *and vote* at the meeting, and a majority of those present and voting concur in the resolution; *provided that if in Scotland the local authority be the road trustees, it shall not be necessary that two thirds of such trustees shall be present at the meeting, but the resolution shall not be valid unless two thirds of the members present vote in favour of such resolution, and unless the said resolution is confirmed in like manner at another meeting called as aforesaid and held not less than three weeks and not more than six weeks thereafter;* and it shall be lawful for the chairman of any such meeting, with the consent of a majority of the members present, to adjourn the same from ~~day to day~~ *time to time.*

The local authority in any district may pay the purchase money and all expenses incurred by them in the purchase of any undertaking under the authority of this section out of the like rate, and shall have the like powers to borrow on the security of the same as if such expenses were incurred in applying for, obtaining, and carrying into effect any Provisional Order obtained by them under this Act.

Where the local rate is limited by law to a certain amount, and is by reason of such limitation insufficient for the payment of such *purchase money and* expenses, the Board of Trade may by Provisional Order extend the limit of such local rate to such amount

as they shall think fit and prescribe for the payment of such *purchase money and* expenses.

Every such Provisional Order shall be confirmed in like manner as a Provisional Order under the authority of Part I. of this Act, and until such confirmation such Provisional Order shall not have any operation.

Subject and according to the preceding provisions of this section two or more local authorities may jointly purchase any undertaking or so much of the same as is within their districts.

~~Discontinuance of Tramways.~~

Tramways to be removed in certain cases.

~~40. If at any time after the opening of any tramway in any district for traffic the promoters discontinue the working of such tramway, or of any part thereof, for the space of six calendar months (such discontinuance not being occasioned by circumstances beyond the control of the promoters), it shall be lawful for the road authority of such district, on proof of such discontinuance to the satisfaction of the Board of Trade, and under the authority of a certificate to that effect by the said Board, to remove the tramway or part of the tramway so discontinued, and the promoters shall pay to the road authority the cost of such removal and of the making good of the road by the road authority, such cost to be certified by the clerk for the time being, or by some other authorized officer of the road authority, whose certificate shall be final and conclusive; and if the promoters fail to pay the amount so certified within one calendar month after delivery to them of such certificate or a copy thereof, the road authority may, without any previous notice to the promoters (but without prejudice to any other remedy which they may have for the recovery of the amount), sell and dispose of the materials of the tramway or part of tramway removed, either by public auction or private sale, and for such sum or sums, and to such person or persons, as the road authority may think fit, and may out of the proceeds of such sale pay and reimburse themselves the amount of the cost certified as aforesaid and of the cost of sale, and the balance (if any) of the proceeds of the sale shall be paid over by the road authority to the promoters.~~

~~Insolvency of Promoters.~~

Proceedings in case of insolvency of promoters.

~~41. If at any time after the opening of any tramway in any district for traffic, it appears to the road authority of such district that the promoters of such tramway are insolvent, so that they are unable to work such tramway with advantage to the public, and such road authority makes a representation to that effect to the Board of Trade, the Board of Trade may direct an inquiry by a referee into the truth of the representa-~~

A.D. 1870.

~~tion, and if the referee shall find that the promoters are so insolvent as aforesaid the Board of Trade may, by order, declare that the powers of the promoters shall, at the expiration of six calendar months from the making of the order, be at an end, and the powers of the promoters shall cease and determine at the expiration of the said period; and thereupon such road authority may remove the tramway in like manner and subject to the same provisions as to the payment of the costs of such removal, and to the same remedy for recovery of such costs, in every respect as in cases of removal under the next preceding section.~~

Clause E. Power of sale.

Where any tramway in any district has been opened for traffic for a period of six months the promoters may, with the consent of the Board of Trade, sell their undertaking to any person, persons, corporation, or company, or to the local authority of such district; and when any such sale has been made all the rights, powers, authorities, obligations, and liabilities of such promoters in respect to the undertaking sold shall be transferred to, vested in, and may be exercised by, and shall attach to the person, persons, corporation, company, or local authority to whom the same has been sold, in like manner as if such tramway was constructed by such person, persons, corporation, company, or local authority under the powers conferred upon them by special Act, and in reference to the same they shall be deemed to be the promoters.

Provided always, that a local authority shall not purchase any undertaking under the provisions of this section unless they shall decide to make such purchase by resolution passed at a special meeting of the members constituting such local authority, which resolution shall be made in the same manner and shall be subject to the same conditions as to validity as resolutions made in regard to the purchases by the next preceding section authorized.

Inserted by the Lords.

Tolls.

Tolls, &c.

42. The promoters or lessees of a tramway authorized by special Act may demand and take, in respect of such tramway, tolls and charges not exceeding the sums specified in such special Act, subject and according to the regulations therein specified. A list of all the tolls and charges authorized to be taken shall be exhibited in ~~some~~ *a* conspicuous place inside *and outside* each of the carriages used upon the tramways.

Byelaws.

Byelaws by local authority.

43. Subject to the provisions of the special Act authorizing any tramway and this Act,

A.D. 1870.

The local authority of any district in which the same is laid down may, from time to time, make regulations as to the following matters:

The rate of speed to be observed in travelling upon the tramway:

The distances at which carriages using the tramway shall be allowed to follow one after the other:

The stopping of carriages using the tramway:

The traffic on the road in which the tramway is laid.

Promoters.

The promoters of any tramway and their lessees may from time to time make regulations,—

For preventing the commission of any nuisance in or upon any carriage, or in or against any premises belonging to them:

For regulating the travelling in or upon any carriage belonging to them.

And for better enforcing the observance of all or any of such regulations, it shall be lawful for such local authority and promoters respectively to make byelaws for all or any of the aforesaid purposes, and from time to time repeal or alter such byelaws, and make new byelaws, provided that such byelaws be not repugnant to the laws of that part of the United Kingdom where the same are to have effect.

Inserted by the Lords.

Notice of the making of any byelaw under the provisions of this Act shall be published by the local authority or the promoters making the same by advertisement, according to the regulations contained in Part II. of the schedule (C.) to this Act annexed, and unless such notice is published in manner aforesaid such byelaw shall be disallowed by the Board of Trade.

No such byelaw shall have any force or effect which shall be disallowed by the Board of Trade within two calendar months after a true copy of such byelaw shall have been laid before the Board, and a true copy of every such proposed byelaw shall, not less than two calendar months before such byelaw shall come into operation, be sent to the Board of Trade, and shall be delivered to the promoters of such tramway if the same was made by the local authority, and to such local authority if made by the promoters.

Penalties in byelaws.

44. Any such byelaw may impose reasonable penalties for offences against the same, not exceeding forty shillings for each offence, with or without further penalties for continuing offences, not exceeding for any continuing offence ten shillings for every day during which the offence continues; but all byelaws shall be so framed as to allow in every case part only of the maximum penalty being ordered to be paid.

A.D. 1870.

Power to local authority to license drivers, conductors, &c.

45. The local authority shall have the like power of making and enforcing rules and regulations, and of granting licenses with respect to all carriages using the tramways, and to all drivers, conductors, and other persons having charge of or using the same, and to the standings for the same, as they are for the time being entitled to make, enforce, and grant with respect to hackney carriages, and the drivers and other persons having the charge thereof, and to the standings for the same in the streets and district of or under the control of the local authority. *Provided always, that in any district in which any of the powers aforesaid in relation to hackney carriages and the matters aforesaid in connexion therewith are vested in any authority other than the local authority of such district, such authority shall have and may exercise the powers by this section conferred upon the local authority.*

Offences.

Penalty for obstruction of promoters in laying out tramway.

46. If any person wilfully obstructs any person acting under the authority of any promoters in the lawful exercise of their powers in setting out or making, forming, laying down, repairing, or renewing a tramway, or defaces or destroys any mark made for the purposes of setting out the line of the tramway, or ~~wilfully~~ damages or destroys any property of any promoters, lessees, or licensees, he shall for every such offence be liable to a penalty not exceeding five pounds.

Penalties for wilful injury or obstruction to tramways, &c.

47. If any person, without lawful excuse (the proof whereof shall lie on him), wilfully does any of the following things; (namely,)

Interferes with, removes, or alters any part of a tramway or of the works connected therewith;

Places or throws any stones, dirt, wood, refuse, or other material on any part of a tramway;

Does or causes to be done anything in such manner as to obstruct any carriage using a tramway, or to endanger the lives of persons therein or thereon;

Or knowingly aids or assists in the doing of any such thing;

he shall for every such offence be liable (in addition to any proceedings by way of indictment or otherwise to which he may be subject) to a penalty not exceeding five pounds.

Penalty on passengers practising frauds on the promoters.

48. If any person travelling or having travelled in any carriage on any tramway avoids or attempts to avoid payment of his fare, or if any person having paid his fare for a certain distance, knowingly and wilfully proceeds in any such carriage beyond such distance, and does not pay the additional fare for the additional

distance, or attempts to avoid payment thereof, or if any person knowingly and wilfully refuses or neglects on arriving at the point to which he has paid his fare to quit such carriage, every such person shall, for every such offence, be liable to a penalty not exceeding forty shillings. A.D. 1870.

Transient offenders.

49. It shall be lawful for any officer or servant of the promoters or lessees of any tramway, and all persons called by him to his assistance, to seize and detain any person discovered either in or after committing or attempting to commit any such offence as in the next preceding section is mentioned, and whose name or residence is unknown to such officer or servant, until such person can be conveniently taken before a justice, or until he be otherwise discharged by due course of law.

Penalty for bringing dangerous goods on the tramway.

50. No person shall be entitled to carry or to require to be carried on any tramway any goods which may be of a dangerous nature, and if any person send by any tramway any such goods without distinctly marking their nature on the outside of the package containing the same, or otherwise giving notice in writing to the book-keeper or other servant with whom the same are left at the time of such sending, he shall be liable to a penalty not exceeding twenty pounds for every such offence, and it shall be lawful for such promoters or lessees to refuse to take any parcel that they may suspect to contain goods of a dangerous nature, or require the same to be opened to ascertain the fact.

Penalty for persons using tramways with carriages with flange wheels, &c.

51. If any person (except under a lease from or by agreement with the promoters, or under licence from the Board of Trade, as by this Act provided,) uses a tramway or any part thereof with carriages having flange wheels or other wheels suitable only to run on the rail of such tramway, such person shall for every such offence be liable to a penalty not exceeding twenty pounds.

Miscellaneous.

Promoters or lessees to be responsible for all damages.

52. The promoters or lessees, as the case may be, shall be answerable for all accident, damages, and injuries happening through their act or default, or through the act or default of any person in their employment by reason or in consequence of any of their works or carriages, and shall save harmless all road and other authorities, companies, or bodies, collectively and individually, and their officers and servants, from all damages and costs in respect of such accidents, damages, and injuries.

A.D. 1870.

Recovery of tolls, penalties, &c.

53. All tolls, penalties, and charges under this Act, or under any byelaw made in pursuance of this Act, may be recovered and enforced as follows; in England before two justices of the peace in manner directed by the Act of the session of the eleventh and twelfth years of the reign of Her present Majesty, chapter forty-three, intituled "An Act to facilitate the performance of the duties "of justices of the peace out of sessions within England and Wales "with respect to summary convictions and orders," and any Act amending the same, and in Scotland before the sheriff or two justices as penalties under The Railways Clauses Consolidation (Scotland) Act, 1845.

Right of user only.

54. Notwithstanding anything in this Act contained the promoters of any tramway shall not acquire or be deemed to acquire any right other than that of user of any road along or across which they lay any tramway, *nor shall anything contained in this Act exempt the promoters of any tramway laid along any turnpike road, or any other person using such tramway, from the payment of such tolls as may be levied in respect of the use of such road by the trustees thereof.*

Clause F. Arrangements between turnpike road trustees and promoters.

The trustees of any turnpike road and the promoters of any tramway proposed to be laid or laid along the same may, with the approval of the Board of Trade, enter into agreements with each other for the payment of a composition to such trustees in respect of the user of such road for such tramway and the conveyance of traffic thereon, and may with the same approval alter such agreements from time to time.

Clause G. Reservation of rights of owners, &c. of mines.

Nothing in this Act shall limit or interfere with the rights of any owner, lessee, or occupier of any mines or minerals lying under or adjacent to any road along or across which any tramway shall be laid to work such mines and minerals, nor shall any such owner, lessee, or occupier be liable to make good or pay compensation for any damage which may be occasioned to such tramway by the working in the usual and ordinary course of their mines or minerals.

Inserted by the Lords.

Reserving powers of street authorities to widen, &c. roads.

55. Nothing in this Act shall take away or affect any power which any road authority, *or the owners, commissioners, undertakers, or lessees of any railway, tramway, or inland navigation* may have by law to widen, alter, *divert*, or improve any road, *railway, tramway, or inland navigation.*

Power for local or police autho-

56. Nothing in this Act shall limit the powers of the local authority or police in any district to regulate the passage of any

traffic along or across any road along or across which any tramways are laid down, and such authority or police may exercise their authority as well on as off the tramway, and with respect as well to the traffic of the promoters or of lessees as to the traffic of other persons. A.D. 1870. Authorities to regulate traffic in roads.

57. Nothing in this Act *or in any byelaw made under this Act* shall take away or abridge the right of the public to pass along or across every or any part of any road along or across which any tramway is laid, whether on or off the tramway, with carriages ~~having ordinary wheels~~ *not having flange wheels or wheels suitable only to run on the rail of the tramway.* Reservation of right of public to use roads.

58. Every inquiry which by this Act the Board of Trade are empowered to make or direct shall be made in accordance with the following provisions: Regulating inquiries before referee appointed by the Board of Trade.

1. The inquiry shall be held *in public* before an officer to be appointed in that behalf by the Board, herein-after called the referee, and whose appointment shall be by writing, which shall specify all the matters referred to him:
2. Ten days notice at the least shall be given by the referee to the parties upon whose representation the Board of Trade shall have directed the inquiry, of the time and place at which the inquiry is to be commenced:
3. The inquiry shall be commenced at the time and place so appointed, and the referee may adjourn the inquiry from time to time as may be necessary to such time and place as he may think fit:
4. The referee by summons shall, on the application of any party interested in the inquiry, require the attendance before himself, at a place and time to be mentioned in the summons, of any person to be examined as a witness before him, and every person summoned shall attend the referee, and answer all questions touching the matter to be inquired into, *and any person who wilfully disobeys any such summons or refuses to answer any question put to him by such referee for the purposes of the said inquiry shall be liable to a penalty not exceeding five pounds: Provided always, that no person shall be required to attend in obedience to any such summons unless the reasonable charges of his attendance shall have been paid or tendered to him, and no person shall be required in any case in obedience to any such summons to travel more than ten miles from his place of abode.*

A.D. 1870.

5. The referee may and shall administer an oath, or an affirmation where an affirmation in lieu of an oath would be admitted in a court of justice, to any person tendered or summoned as a witness on the inquiry:

6. Any person who upon oath or affirmation wilfully gives false evidence before the referee shall be deemed guilty of perjury:

7. The referee shall make his report to the Board of Trade in writing, and shall deliver copies of the report upon request to all or any of the parties to the inquiry.

Rules for carrying Act into effect.

59. The Board of Trade may from time to time make, and, when made, may rescind, annul, or add to, rules with respect to the following matters:

1. The proceedings to be had before the Board under this Act:

2. The payment of money or lodgment of securities by way of deposits, the repayment and forfeiture of the same, the investment of the same, the amount and payment of interest or dividends from time to time accruing due on such deposits:

3. The plans and sections of any works to be deposited by promoters under this Act:

4. As to any other matter or thing, in respect of which it may be expedient to make rules for the purpose of carrying this Act into execution.

Any rules made in pursuance of this section shall be deemed to be within the powers conferred by this Act, and shall be of the same force as if enacted in this Act, and shall be judicially noticed.

Any rules made in pursuance of this section shall be laid before Parliament within three weeks after they are made, if Parliament be then sitting, and if Parliament be not then sitting, within three weeks after the beginning of the then next session of Parliament.

SCHEDULE A.

Part I.

Districts of Local Authorities.	Description of Local Authority District set opposite its Name.	The Local Rate.
	England and Wales.	
The city of London and the liberties thereof.	The ~~Court of Lord Mayor and Aldermen~~ *Mayor, Aldermen, and Commons of the City of London.*	The consolidated sewers rate.
The metropolis (1.) - -	The Metropolitan Board of Works.	The metropolitan consolidated rate.
Boroughs (2.) - -	The mayor, aldermen, and burgesses, acting by the council.	The borough fund or other property applicable to the purposes of a borough rate, or the borough rate.
Any place not included in the above descriptions, and under the jurisdiction of commissioners, trustees, or other persons intrusted by any Local Act with powers of improving, cleansing, or paving any town.	The commissioners, trustees, or other persons intrusted by the Local Act with powers of improving, cleansing, or paving the town.	Any rate leviable by such commissioners, trustees, or other persons, or other funds applicable by them to the purposes of improving, cleansing, or paving the town.
Any place not included in the above descriptions, and within the jurisdiction of local board constituted in pursuance of the Public Health Act, 1848, and the Local Government Act, 1858, or one of such Acts.	The local board - -	General district rate.
Any place or parish not within the above descriptions, and in which a rate is levied for the maintenance of the poor.	The vestry, select vestry, or other body of persons, acting by virtue of any Act of Parliament, prescription, custom, or otherwise, as or instead of a vestry or select vestry.	The poor rate.

Notes.

(1.) "The metropolis" shall include all parishes and places in which the Metropolitan Board of Works have power to levy a main drainage rate, except the city of London and the liberties thereof.

(2.) "Borough" shall mean any place for the time being subject to an Act passed in the session holden in the fifth and sixth years of the reign of King William the Fourth, chapter seventy-six, intituled "An Act to provide for the Regulation of "Municipal Corporations in England and Wales."

A.D. 1870.

Districts of Local Authorities.	Description of Local Authority of District set opposite its Name.	The Local Rate.
	Scotland.	
Places within the jurisdiction of any town council, and not subject to the separate jurisdiction of police commissioners or trustees.	The town council.	The prison assessment or police assessment, as the local authority shall resolve.
In places within the jurisdiction of police commissioners or trustees exercising the functions of police commissioners under any General or Local Act.	The police commissioners or trustees.	
In any parish or part thereof over which the jurisdiction of a town council or of police commissioners or trustees exercising the functions of police commissioners does not extend.	The road trustees having the management of any road on which a tramway is proposed to be constructed.	The tolls, duties, and assessments leviable by the road trustees.

Part II.

Districts of Road Authorities.	Description of Road Authority of Districts set opposite its Name.
Parishes within the metropolis (1.) mentioned in schedule (A.) to the Metropolis ~~Local~~ Management Act, *1855*.	The vestries appointed for the purposes of the Metropolis ~~Local~~ Management Act, *1855*.
Districts within the metropolis (1.) formed by the union of the parishes mentioned in schedule (B.) to the Metropolis ~~Local~~ Management Act, *1855*.	The board of works for the district appointed for the purpose of the Metropolis ~~Local~~ Management Act, *1855*.

Note (1.)—The term "Metropolis" has in this Part the same meaning as in Part I. of this schedule.

Inserted by the Lords.

Part III.

Approval of Application by Local Authority for a Provisional Order.

The approval of any intended application for a Provisional Order by a local authority shall be in manner following; that is to say,

A resolution approving of the intention to make such application shall be passed at a special meeting of the members constituting such local authority.

Such special meeting shall not be held unless a month's previous notice of the same, and of the purpose thereof, has been given in manner in which notices of meetings of such local authority are usually given.

Such resolution shall not be passed unless two thirds of the members constituting such local authority are present and vote at such special meeting and a majority of those present and voting concur in the resolution; provided that if in Scotland the local authority be the road trustees, it shall not be necessary that two thirds of such trustees shall be present at the meeting, but the resolution shall not be valid unless two thirds of the members present vote in favour of such resolution, and unless the said resolution is confirmed in like manner at another meeting called as aforesaid and held not less than three weeks and not more than six weeks thereafter. Where any such resolution relating to the Metropolis as the same is defined in Part I. of this schedule, or to any district in Scotland of which road trustees are the local authority, has been passed in manner aforesaid, the intended application to which such resolution relates shall be deemed to be approved.

Where any such resolution does not relate to the Metropolis or to any such district in Scotland such resolution shall, during one month after the passing of the same, be advertised by such local authority at least once in every week, in some newspaper published or circulated in the district. In such advertisement reference shall be made to some place provided by the local authority where the plan or particulars of the work or matter to which such resolution relates may be gratuitously seen by the ratepayers.

Twenty ratepayers within the district in England and twenty householders in Scotland may, by notice in writing signed by them and delivered at the office of the local authority within fourteen

A.D. 1870.

days after the first publication in such newspaper of such resolution, require a public meeting of the owners and ratepayers in the district if the same is in England, or of the householders in the district if the same is in Scotland, to be summoned by the local authority for the purpose of considering such resolution.

Upon receipt of such requisition the clerk of the local authority shall forthwith fix a time not later than fourteen days after the date of such requisition, and a place for holding such meeting, and shall give notice thereof by advertisement in some one or more of the newspapers circulated in the place, and by causing copies of such notice to be affixed to the principal doors of every church and chapel in the place to which notices are usually affixed.

The meeting on its assembling together shall choose one of its number as chairman, who may, with the consent of the majority of the persons present, adjourn the same from day to day.

The chairman shall submit the said resolution to the meeting, and the meeting shall decide for or against the same, provided that if any owner or ratepayer in England, or any householder in Scotland, present at such meeting shall demand that such question be decided by a poll, such poll shall be taken in manner following:

In England, such poll shall be taken in the same way and with the same conditions as to notice of voting, delivery, filling up, collection, examination, declaration of the result, custody of voting papers, penalty for neglect or refusal to comply with the provisions of the Act, scale of votes, and in all other respects whatsoever, as is provided in the "Public Health Act, 1848," in respect of the election of local boards of health; and

In Scotland, such poll shall be taken in the same way and with the same conditions as to qualification, mode of voting, duration of poll, and in all other respects whatsoever, as is provided in "The General Police and Improvement (Scotland) Act, 1862," in respect of the adoption of the said Act by householders.

If no poll is demanded, or if the demand for a poll is withdrawn by the parties making the same, a declaration by the chairman shall in the absence of proof to the contrary be sufficient evidence of the decision of such meeting.

If a majority of those present at any such meeting, or a majority of the votes given at any such poll, shall be against such resolution, then such resolution shall be of no effect whatsoever, but otherwise such resolution and the intended application to which it relates shall be deemed to be approved.

Inserted by the Lords.

SCHEDULE B.

Provisional Orders.

Part I.

Advertisement in October or November of intended application.

(1.) Every advertisement is to contain the following particulars:

1. The objects of the intended application.
2. A general description of the nature of the proposed works, if any,
3. The names of the townlands, parishes, townships, and extra-parochial places in which the proposed works, if any, will be made.
4. The times and places at which the deposit under Part II. of this schedule will be made.
5. An office, either in London or at the place to which the intended application relates, at which printed copies of the draft Provisional Order, when deposited, and of the Provisional Order, when made, will be obtainable as herein-after provided.

(2.) The whole notice is to be included in one advertisement, which is to be headed with a short title descriptive of the undertaking.

(3.) The advertisement is to be inserted once at least in each of two successive weeks in some one and the same newspaper published in the district affected by the proposed undertaking, where the proposed works (if any) will be made; or if there be no such newspaper, then in some one and the same newspaper published in the county in which every such district, or some part thereof, is situate; or if there be none, then in some one and the same newspaper published in some adjoining or neighbouring county.

(4.) The advertisement is also, in every case, to be inserted once at least in the London or Edinburgh Gazette, accordingly as the district is situate in England or Scotland.

(5.) *Service of a copy of any notice directed to be served may be in manner following; upon an owner by sending the same by post, prepaid, addressed to such owner at the usual or last known place of abode of such owner; and upon an occupier by sending the same by post, prepaid, addressed to such occupier.*

PART II.

Deposit on or before 30th November.

(1.) The promoters are to deposit—

1. A copy of the advertisement published by them.
2. A proper plan and section of the proposed works, if any, such plan and section to be prepared according to such regulations as may from time to time be made by the Board of Trade in that behalf.

(2.) The documents aforesaid are to be deposited for public inspection—

In England, in the office of the clerk of the peace for every county, riding, or division, and of the parish clerk of every parish and the office of the local authority of every district in or through which any such undertaking is proposed to be made; in Scotland, in the office of the principal sheriff clerk for every county, district, or division which will be affected by the proposed undertaking, or in which any proposed new work will be made.

(3.) The documents aforesaid are also to be deposited at the office of the Board of Trade.

PART III.

Deposit on or before 23rd December.

(1.) The promoters are to deposit at the office of the Board of Trade—

1. A memorial signed by the promoters, headed with a short title descriptive of the undertaking (corresponding with that at the head of the advertisement), addressed to the Board of Trade, and praying for a Provisional Order.
2. A printed draft of the Provisional Order as proposed by the promoters, with any schedule referred to therein.
3. An estimate of the expense of the proposed works, if any, signed by the persons making the same.

(2.) They are also to deposit a sufficient number of such printed copies at the office named in that behalf in the advertisement; such copies to be there furnished to all persons applying for them at the price of not more than one shilling each.

(3.) The memorial of the promoters (to be written on foolscap paper, bookwise, with quarter margin) is to be in the following form, with such variations as circumstances require : A.D. 1870.

[Short title of undertaking.]

To the Board of Trade,

The memorial of the promoters of [short title of undertaking]:

Sheweth as follows;

1. Your memorialists have published, in accordance with the requirements of the Tramways Act, 1870, the following advertisement:

[Here advertisement to be set out verbatim.]

2. Your memorialists have also deposited, in accordance with the requirements of the said Act, copies of the said advertisement and [here state deposit of the several matters required by Act].

Your memorialists, therefore, pray that a Provisional Order may be made in the terms of the draft proposed by your memorialists, or in such other terms as may seem meet.

A.B.
C.D.
Promoters.

Part IV.

Deposit and advertisement of Provisional Order when made.

(1.) The promoters are to deposit printed copies of the Provisional Order, when settled and made, for public inspection in the offices of clerks of the peace and sheriff clerks, where the documents required to be deposited by them under Part II. of this schedule were deposited.

(2.) They are also to deposit a sufficient number of such printed copies at the office named in that behalf in the advertisement, such copies to be there furnished to all persons applying for them at the price of *not more than* each.

(3.) They are also to publish the Provisional Order as an advertisement once in the local newspaper in which the original advertisement of the intended application was published, *or, in case the same shall no longer be published, in some other newspaper published in the district.*

A.D. 1870.

SCHEDULE C.

Part I.

Notice and Deposit of Lease by Local Authority.

One month before any lease is submitted to the Board of Trade, notice of the intention to make such lease shall be given by advertisement.

(1.) Every advertisement is to contain—

1. The term of the lease.
2. The rent reserved.
3. A general description of the covenants and conditions contained therein.
4. The place where the same is deposited for public inspection.

(2.) The advertisement is to be inserted once at least in each of two successive weeks in some one and the same newspaper published in the district affected by the proposed lease; or if there be no such newspaper, then in some one and the same newspaper published in the county in which such district, or some part thereof, is situate; or if there be none, then in some one and the same newspaper published in some adjoining or neighbouring county.

(3.) The advertisement is also, in every case, to be inserted once at least in the London or Edinburgh Gazette, accordingly as the district to which it relates is situate in England or Scotland.

Inserted by the Lords.

Deposit.

A copy of such lease shall be deposited for public inspection during office hours at the office of the local authority or at some other convenient place within the district to which such lease relates.

Part II.

Notice of Byelaws.

Within one month after the making of any byelaw notice of the making of the same, and a copy of such byelaw, shall be published by advertisement in manner following:

(1.) The advertisement is to be inserted once at least in each of two successive weeks in some one and the same newspaper published in the district affected by such byelaw; or, if there be no such news-

Inserted by the Lords.

paper, then in some one and the same newspaper published in the county in which such district, or some part thereof, is situate; or if there be none, then in some one and the same newspaper published in some adjoining or neighbouring county. A.D. 1870.

(2.) The advertisement is also, in every case, to be inserted once at least in the London or Edinburgh Gazette, accordingly as the district to which it relates is situate in England or Scotland.

A

BILL

[WITH THE AMENDMENTS MADE BY THE LORDS]

INTITULED

An Act to facilitate the construction and to regulate the working of Tramways.

Ordered, by The House of Commons, *to be Printed,* 25 *July* 1870.

[Bill 239.]

Under 5 *oz.*

A

B I L L

TO

Extend the Telegraph Acts of 1868, 1869, to the Channel Islands. A.D. 1870.

WHEREAS, in order to protect the public revenue, it is expedient that the provisions of the Telegraph Acts, 1868, 1869, should be extended to the Channel Islands, and that the said Acts should be otherwise amended:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title of Act.

1. This Act may be cited as "The Telegraph Act, 1870," and this Act and the "Telegraph Acts, 1868, 1869," may be cited together as "The Telegraph Acts, 1868 to 1870."

Incorporation of provisions of Telegraph Acts, 1868, 1869.

2. *The provisions of the Telegraph Acts,* 1868, 1869, *save so far as they are expressly repealed or varied by or inconsistent with the provisions of this Act, shall be incorporated and construed as one with this Act.*

Extension of those Acts to Channel Islands.

3. *The Telegraph Acts,* 1868, 1869, *shall extend to and be in force in the Islands of Jersey, Guernsey, Sark, and Alderney, and for all the purposes of the said Acts and each of them the said Islands shall respectively be deemed to be part of the United Kingdom of Great Britain and Ireland.*

Postmaster-General may purchase undertakings of companies for transmitting telegrams to Channel Islands.

4. The Postmaster-General shall, upon the request in writing of any telegraph company existing on the fifth day of February one thousand eight hundred and seventy, and established exclusively for the purpose of transmitting telegrams between Great Britain or Ireland and the said Islands or any of them, or between any one of the said Islands and any other of them, or within any one of the said Islands, or for all or any of such objects, purchase the whole or any part of the undertaking of such company, although the same

A.D. 1870.

may not have been in existence on the twenty-second day of July one thousand eight hundred and sixty-nine, provided such request be made within *twelve months* after the passing of this Act; and the Postmaster-General shall accordingly, within one month after the receipt by him of any such request, give notice in writing of his intention to make such purchase, and it shall be lawful for such telegraph company and they are hereby required to sell, convey, and assure their undertaking accordingly, and to give valid discharges for the purchase money.

Telegraph Acts Extension.

A

BILL

To extend the Telegraph Acts of 1868, 1869, to the Channel Islands.

(*Prepared and brought in by The Marquis of Hartington, Mr. Chancellor of the Exchequer, and Mr. Stansfeld.*)

Ordered, by The House of Commons, *to be Printed*, 25 *May* 1870.

[Bill 142.]

Under 1 *oz.*

A

B I L L

[AS AMENDED BY THE SELECT COMMITTEE]

TO

Extend the Telegraph Acts of 1868, 1869, to the Channel Islands. A.D. 1870.

WHEREAS it is expedient for the interests of the public that the provisions of the Telegraph Acts, 1868, 1869, should be extended to the Channel Islands, *and the Isle of Man*, and that the said Acts should be otherwise amended:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title of Act.

1. This Act may be cited as "The Telegraph Act, 1870," and this Act and the "Telegraph Acts, 1868, 1869," may be cited together as "The Telegraph Acts, 1868 to 1870."

Incorporation of provisions of Telegraph Acts, 1868, 1869.

2. The provisions of the Telegraph Acts, 1868, 1869, save so far as they are expressly repealed or varied by or inconsistent with the provisions of this Act, shall be incorporated and construed as one with this Act.

Extension of those Acts to Channel Islands.

3. The Telegraph Acts, 1868, 1869, shall extend to and be in force in the Islands of Jersey, Guernsey, Sark, Alderney, *and Man, and the Islands and Islets adjacent thereto respectively*, and for all the purposes of the said Acts and each of them the said Islands and Islets shall respectively be deemed to be part of the United Kingdom of Great Britain and Ireland.

Power to purchase the undertaking of the Jersey and Guernsey Telegraph Company, Limited.

4. The Postmaster General shall purchase the undertaking of the Jersey and Guernsey Telegraph Company, Limited, upon terms to be settled (failing agreement) by arbitration, in manner provided by the Lands Clauses Consolidation Act, 1845, and the said company shall sell and convey the said undertaking accordingly; and the said Postmaster General shall be let into the possession of the said undertaking immediately upon the passing of this Act,

A.D. 1870.

and shall pay interest at the rate of four pounds per centum per annum on the purchase money from the same date until the time of payment.

Confirmation of agreement with the Isle of Man Electric Telegraph Company.

5. *The agreement referred to in the schedule to this Act is hereby confirmed, and the Postmaster General shall purchase, and the Isle of Man Electric Telegraph Company shall sell and convey, the undertaking of the same company upon the terms of the said agreement; and the Postmaster General shall be let into the possession of the said undertaking immediately upon the passing of this Act, and shall pay interest at four pounds per centum per annum on the purchase money from the same date until the time of payment.*

Postmaster-General may purchase undertakings of companies for transmitting telegrams to Channel Islands.

6. Upon the request in writing of any telegraph company existing on the fifth day of February one thousand eight hundred and seventy, and engaged in transmitting telegrams between Great Britain or Ireland and the said Islands or any of them, or between any one of the said Islands and any other of them, or within any one of the said Islands, or for all or any of such objects, the Postmaster General shall purchase the whole or any part of the undertaking of such company, provided such request be made within twelve months after the passing of this Act; and the Postmaster General shall accordingly, within one month after the receipt by him of any such request, give notice in writing of his intention to make such purchase, and it shall be lawful for such telegraph company and they are hereby required to sell, convey, and assure their undertaking accordingly, and to give valid discharges for the purchase money.

Reservation as to the undertaking of the Submarine Telegraph Company.

7. Provided always, that nothing in this Act shall authorize or require the Postmaster General to purchase the undertakings of the Submarine Telegraph Company between Great Britain and the continent of Europe, and the Submarine Telegraph Company between France and England (Société Carmichael et Co.) or either of them or any part thereof respectively.

Amendment of section 6 of the Act of 1868.

8. Whereas doubts have been suggested as to the effect of the sixth section of the Telegraph Act, 1868, it is hereby declared that, notwithstanding anything therein contained, any company whose undertaking shall be purchased by the Postmaster General under or by virtue of this Act, and any company whose undertaking has been or shall be purchased by the Postmaster General under or by virtue of the Telegraph Act, 1868, 1869, or either of them, may sue or be sued for any debts owing to or by or for any damages

recoverable by or from such company, or for the purpose of enforcing any rights and remedies of or against such company, which shall have accrued before the date of the transfer to the Postmaster General of the undertaking of such company.

Saving agreements scheduled in the Act of 1868.

9. Nothing in this Act contained shall in anywise prejudice or affect any of the agreements referred to in the schedule to the Telegraph Act, 1868, and thereby confirmed.

SCHEDULE to which the foregoing Act refers.

Mortgage and agreement for sale to or in trust for Her Majesty under the seal of the Isle of Man Electric Telegraph Company, dated the thirtieth day of October one thousand eight hundred and sixty-eight.

Telegraph Acts Extension.

A

BILL

[AS AMENDED BY THE SELECT COMMITTEE]

To extend the Telegraph Acts of 1868, 1869, to the Channel Islands.

(*Prepared and brought in by The Marquis of Hartington, Mr. Chancellor of the Exchequer, and Mr. Stansfeld.*)

Ordered, by The House of Commons, *to be Printed*, 5 *July* 1870.

[Bill 196.]

Under 1 *oz.*

A

B I L L

FOR

Appointing a Commission to inquire into the alleged prevalence of the Truck System, and the disregard of the Acts of Parliament prohibiting such system, and for giving such Commission the powers necessary for conducting such Inquiry. A.D. 1870.

WHEREAS an Act was passed in the session held in the first and second years of the reign of King William the Fourth, chapter thirty-seven, intituled "An Act to prohibit the payment in certain trades of wages in goods or otherwise than in the current coin of the realm," and the object of such Act is, as its title imports, to prohibit throughout Great Britain the payment in certain trades of wages in goods or otherwise than in money, which payment of wages in goods is commonly called the truck system: 1 & 2 W. 4. c. 37.

And whereas it is alleged that in certain parts of Great Britain the provisions of the said Act, and divers other provisions in Acts passed for the prevention of the said truck system, are systematically disregarded, and it is expedient that inquiry should be made by Commissioners to be appointed by Parliament into the truth of the said allegations, with power to such Commissioners to suggest any improvement to be made in the law in respect of the matters aforesaid:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. This Act may be cited as the "Truck Commission Act, 1870." Short title of Act.

2. This Act shall not extend to Ireland. Extent of Act.

3. A.B. of , C.D. of , shall be Commissioners for the purpose of inquiring into and reporting upon the operation of the above-mentioned Act, and of all other Acts or provisions of Acts prohibiting the truck system, with power to investigate any offences against such Acts which have occurred Appointment of Commissioners.

A.D. 1870.

within the period of *two years* immediately preceding the passing of this Act, and to suggest any improvements to be made in the law for the better prevention of the truck system.

Vacancy in offices of Commissioners.

4. If any vacancy occurs in the office of either of the Commissioners hereby appointed by reason of such Commissioner dying, resigning, declining or becoming incapable to act, one of Her Majesty's Principal Secretaries of State may fill up such vacancy.

Payment of Commissioners.

5. *There shall be paid to each of the said Commissioners out of moneys to be provided by Parliament such remuneration for their services under this Act as the Commissioners of the Treasury may direct, and the said Commissioners may employ such clerks and other officers at such salaries, to be paid out of moneys to be provided by Parliament, as may be approved of by the said Commissioners of the Treasury.*

Powers of Commissioners.

6. The Commissioners shall have for the purposes of this inquiry to be instituted by them in pursuance of this Act all such powers, rights, and privileges as are vested in any of Her Majesty's superior courts, or in any judge thereof, on the occasion of any action or suit, in respect of the following matters:

(*a.*) The enforcing the attendance of witnesses, and examining them on oath, affirmation, or otherwise, as they or he may think fit:

(*b.*) The compelling the production of documents:

(*c.*) The punishing persons guilty of contempt:

17 & 18 Vict. c. 125. s. 58.

(*d.*) The ordering an inspection of any real or personal property: And a summons under the hand or hands of one or more of the Commissioners may be substituted for and shall be equivalent to any form of process capable of being issued at law in any action or suit for enforcing the attendance of witnesses, or compelling the production of documents.

Any warrant of committal to prison issued for the purpose of enforcing the powers conferred by this section shall be under the hand of one or more of the commissioners, and shall specify the prison to which the offender is to be committed, and shall not authorise the imprisonment of any offender for a period exceeding *three months.*

The gaoler or other chief officer of any prison refusing to receive into his prison any prisoner committed thereto in pursuance of this Act shall incur a penalty not exceeding *five pounds,* to be recovered summarily for every day during which such refusal continues.

Every inquiry under this Act shall be conducted in public, and due notice shall be given of the time and place of holding the same,

A.D. 1870.

but with power to the Commissioners to adjourn any meeting as occasion may require.

In the event of the temporary illness of one of the Commissioners, the other Commissioner may, during such limited period as one of Her Majesty's Principal Secretaries of State may, by order or orders, direct, hold inquiries for the purpose of this Act sitting alone, and exercise singly all the powers which by this Act may, when the two Commissioners are sitting together, be exercised by both or either of them.

Indemnity to witnesses.

7. Any person examined as a witness in an inquiry under this Act who in the opinion of the Commissioners makes a full and true disclosure touching all the matters in respect of which he is examined, shall receive a certificate under the hand of such Commissioners stating that the witness has upon his examination made a full and true disclosure as aforesaid; and if any civil or criminal proceeding be at any time thereafter instituted against such witness in respect of any matter touching which he has been so examined, the tribunal before which such proceeding is instituted shall, on the production and proof of the certificate, stay the proceeding, and may in its discretion award to such witness any costs he may have been put to by the institution of the proceeding; provided that no evidence taken under this Act shall be admissible against any person in any civil or criminal proceeding whatever, except in the case of a witness who may be accused of having given false evidence before the Commissioners conducting the inquiry under this Act.

Penalty for false swearing, &c.

8. Every person who, upon examination upon oath or affirmation in any inquiry under this Act, wilfully gives false evidence, shall be liable to the penalties of perjury.

Expenses.

9. *The reasonable expenses incurred by any person who may be summoned to appear to give evidence in any inquiry under this Act, according to a scale to be approved by the Commissioners of Her Majesty's Treasury, may be allowed to such person by a certificate under the hands or hand of both or one of the Commissioners conducting the inquiry under this Act, and shall be paid to such person by the said Commissioners of the Treasury, and shall be deemed to be expenses incurred by the Commissioners for the purposes of their Commission, and, together with all incidental expenses of the inquiry directed by this Act, shall be paid by the said Commissioners of the Treasury out of moneys provided by Parliament.*

Protection to persons

10. The Commissioners in conducting an inquiry under this Act shall have such and the like protection and privileges, in case

A.D. 1860.

appointed to conduct inquiries.

of any action brought against them for any Act done or omitted to be done in the execution of their duty, as is now by law given by any Act or Acts now or hereafter to be in force to justices acting in execution of their office.

Limitation of actions.

11. No action shall be brought against any of the Commissioners appointed to conduct an inquiry under this Act, or any other person whomsoever, for any thing done in the execution of his duty under this Act, unless such action be brought within *six calendar months* next after the doing of such thing.

Truck Commission.

A

B I L L

For appointing a Commission to inquire into the alleged prevalence of the Truck System, and the disregard of the Acts of Parliament prohibiting such system, and for giving such Commission the powers necessary for conducting such Inquiry.

(*Prepared and brought in by Mr. Secretary Bruce and Mr. Knatchbull-Hugessen.*)

Ordered, by The House of Commons, *to be printed,* 29 *July* 1870.

[Bill 252.] *Under* 1 *oz.*

A

B I L L

TO

Continue certain Turnpike Acts in Great Britain, to repeal certain other Turnpike Acts, and to make further Provisions concerning Turnpike Roads. A.D. 1870.

WHEREAS it is expedient to continue for limited times some of the Acts herein-after specified, and to repeal others:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. The Acts specified in the first schedule annexed hereto shall be repealed on and after the first day of November one thousand eight hundred and seventy. Repeal of certain Acts. Schedule 1.

2. The Acts specified in the second schedule annexed hereto shall expire at the time in that behalf mentioned in "The Annual Turnpike Acts Continuance Act, 1869." Expiration of certain Acts. Schedule 2.

3. The Acts specified in the third schedule annexed hereto shall be repealed on and after the date in that behalf mentioned in "The Annual Turnpike Acts Continuance Act, 1869." Repeal of certain Acts. Schedule 3.

4. The Acts specified in the fourth schedule annexed hereto shall continue in force until the *thirty-first day of December one thousand eight hundred and seventy*, and no longer. Expiration of certain Acts. Schedule 4.

5. The Acts specified in the fifth schedule annexed hereto shall be repealed on and after the *thirty-first day of May one thousand eight hundred and seventy-one*. Repeal of certain Acts. Schedule 5.

6. The Acts specified in the sixth schedule annexed hereto shall continue in force until the *first day of November one thousand eight hundred and seventy-one*, and no longer, unless Parliament in the meantime otherwise provides. Continuance of certain Acts. Schedule 6.

A.D. 1870.

Repeal of certain Turnpike Acts. Schedule 7.

7. The Acts specified in the seventh schedule annexed hereto shall be repealed on and after the *first day of November one thousand eight hundred and seventy-one*, unless Parliament in the meantime otherwise provides.

Continuance of certain Acts. Schedules 8. and 9.

8. The Acts specified in the eighth and ninth schedules annexed hereto shall continue in force until the *first day of November one thousand eight hundred and seventy-one*, unless Parliament in the meantime otherwise provides.

Continuance of all other Turnpike Acts, except

9. All other Acts now in force for regulating, making, amending, or repairing any turnpike road in Great Britain which will expire at or before the end of the next session of Parliament shall continue in force until the *first day of November one thousand eight hundred and seventy-one*, and to the end of the then next session of Parliament, unless Parliament in the meantime otherwise provides, except the three following Acts, namely, An Act of the seventh year of King George the Fourth, chapter ninety, "for making a "turnpike road from Saint John's Chapel, in the parish of Saint "Marylebone, to the north-east end of Ballard's Lane, abutting "upon the north road in the parish of Finchley, with a branch "therefrom in the county of Middlesex;" An Act of the fifth year of King William the Fourth, chapter twenty-three, "to incor- "porate the Avenue Road in the parish of Saint Marylebone with "the Marylebone and Finchley Turnpike Roads in the county of "Middlesex;" An Act of the thirteenth and fourteenth years of Her present Majesty, chapter one hundred and three, "for con- "tinuing the term of an Act passed in the seventh year of the "reign of His Majesty King George the Fourth, intituled An Act "for making a turnpike road from Saint John's Chapel in the "parish of Saint Marylebone to the north-east end of Ballard's "Lane, abutting upon the north road in the parish of Finchley, "with a branch therefrom in the county of Middlesex, for the "purpose of paying off the debt now due on the said roads, and "providing for the future management thereof," which shall continue until the several debts have been paid off and discharged, and no longer; and except the three following Acts, namely, An Act of the ninth year of King George the Fourth, chapter one hundred and twelve, "for more effectually repairing and improving the several "roads called the Cannon Street Roads, the Commercial Road, the "Horseferry Branch of Road, the East India Dock Road, the "Barking Road, and the Shadwell and Mile End Branch of Road "in the counties of Middlesex and Essex, and for laying down a "stoneway on the said Commercial, East India Dock, and Barking

7 G. 4. c. 90.

5 W. 4. c. 23.

13 & 14 Vict. c. 103.

9 G. 4. c. 112.

"roads;" An Act of the twelfth and thirteenth years of Her present Majesty, chapter seventy-six, "for more effectually repairing "the Commercial Road, and other roads connected therewith, in "the counties of Middlesex and Essex;" An Act of the eighteenth year of Her present Majesty, chapter sixty-seven, "for amending "The Commercial Roads Act, 1828, and The Commercial Roads "Continuation Act, 1849, and for other purposes," which shall continue in force till the fifth day of August one thousand eight hundred and seventy-one and no longer.

A.D. 1870.

12 & 13 Vict. c. 76.

18 Vict. c. 67.

Maintenance of certain highways.

10. With regard to any highway which within seven years previous to the passing of this Act has ceased, or which hereafter may cease to be a turnpike road, the cost of maintaining so much thereof as passes through any highway district constituted under the Highway Acts, 1862 and 1864, shall after the first day of November one thousand eight hundred and seventy, or after the date of the said highway ceasing to be a turnpike road, whichever shall last happen, be a charge on the common fund of such highway district, and shall be annually provided for in the same manner as is enacted in the thirty-second section of the Highway Act, 1864, in respect to the salaries of the officers appointed for the district.

Short title.

11. This Act may be cited for all purposes as "The Annual Turnpike Acts Continuance Act, 1870."

SCHEDULES.

County.	Name of Trust.	No. of Schedule.	No. of Act.
Bucks -	Colnbrook, Datchet, and Slough -	3	31
Cambridge	Arrington - - - - -	2	11
	Stump Cross - - - -	5	36
Chester -	Spann Smithy, Booth Lane, and Winsford	2	13
Cumberland	Whitehaven - - - -	2	20
Derby -	Nottingham Road, Derby to Risley -	6	45
Durham -	Bowes and Sunderland Bridge - -	2	9, 10
	Gateshead and Hexham - -	7	57
	Wearmouth Bridge to Tyne Bridge -	3	30
Essex -	Hockerill - - - -	2	21
Gloucester	Chipping Campden - -	1	1
Kent -	Dartford and Strood - - -	6	39
	Greenwich and Woolwich, Lower Road -	1	8
Lancaster -	Barton Bridge and Moses Gate - -	6	42
	Liverpool, Prescot, Ashton, and Warrington	6	47
	Pendleton - - - -	6	53
	Penwortham and Wrightington - -	2	17
Lincoln -	Bourn - - - -	6	40
	Foston Bridge to Witham Common -	2	22
Norfolk -	Lynn and Wisbech - - -	2	15
	Stoke Ferry - - -	1	2
North-ampton.	Banbury and Lutterworth, Banbury to Drayton -	5	35
	Ditto. Lutterworth to Badby -		
	Dunchurch - - - -	2	19
	Kettering and Northampton - -	7	56
	Wansford and Stamford - - -	6	40
	Warwick and Northampton - -	2	26
Nottingham	Nottingham and Derby, Eastern Division	2	18

A.D. 1870.

County.	Name of Trust.	No. of Schedule.	No. of Act.
Rutland	Oakham	6	37
Somerset	Bridgewater	4	33
	Frome	2	23
	Wiveliscombe	7	54
Stafford	Birmingham and Wednesbury	2	24
	Walton-in-Stone to Eccleshall	6	52
Sussex	Broil Park Gate to Battle	6	38
	Lewes and Brighton	2	27
	Midhurst and Sheetbridge	6	41
Warwick	Birmingham and Watford Gap, Kingsbury Branch	6	43
Westmorland.	Appleby and Kendal	1	7
Wilts	Amesbury	6	48a
	Trowbridge	3	32
Worcester	Dudley and Brettell Lane, and Pedmore	6	48
	and Rowley, United	7	55
	Tenbury	2	14
	Worcester: Barbourne Roads (7th Dist.)	2	28, 29
	Bransford Roads (4th „)		
	Broadwas Roads (5th „)		
	Henwick & Martley Rds. (6th „)		
	London & Stonebow Rds. (1st „)		
	Powick Roads (3rd „)		
	Upton Roads (2nd „)		
	Lowesmoor Roads (8th „)	1	4, 6
York	Barnsley and Pontefract	1	3
	Birstal and Huddersfield	6	46, 49
	Dewsbury to Ealand	6	50
	Doncaster and Bawtry	2	25
	Doncaster and Saltersbrook	6	44
	Dudley Hill, Killinghall, and Harrogate	6	51
	Kirkstall, Otley, and Shipley	4	34
	Salterhebble, Stainland, and Sowerby Bridge	1	5
	Wetherby and Knaresborough	2	16
	York and Boroughbridge	2	12

A.D. 1870.

FIRST SCHEDULE.

Acts which are to be repealed on and after the 1st of November 1870.

Date of Act.	Title of Act.
57 G. 3. c. v. - - *Limited to expire at end of session after* 1 *November* 1870.	1. An Act for repairing the road from the Cross Hands on the Worcester and Oxford Turnpike Road to Halford Bridge, and other roads therein mentioned, in the counties of Gloucester, Warwick, and Worcester.
2 W. 4. c. lxxxiii. - *Limited to expire at end of session after* 1 *Nov.* 1870.	2. An Act for more effectually repairing several roads leading from the Bell in Stoke Ferry in the county of Norfolk.
3 W. 4. c. xiii. - - *Limited to expire at end of session after* 1 *Nov.* 1870.	3. An Act for repairing and improving the road from Barnsley to Cudworth Bridge, and from thence into the turnpike road leading from Wakefield to Doncaster, and other roads connected therewith, all in the West Riding of the county of York.
5 & 6 W. 4. c. lxiii. - *Limited to expire at end of session after* 1 *Nov.* 1870.	4. An Act for improving and more effectually repairing the several roads leading into and from the city of Worcester; *so far as the same relates to the eighth district of roads.*
1 Vict. c. xlii. - - *Limited to expire at end of session after* 1 *Nov.* 1870.	5. An Act for repairing and maintaining a road from near Salterhebble in the Parish of Halifax to the Huddersfield and New Hey Turnpike Road in the Parish of Huddersfield, and to Sowerby Bridge in the said Parish of Halifax, all in the West Riding of the County of York, with a bridge on the line of the said road.
11 & 12 Vict. c. cxxxvii. *Limited to expire at end of session after* 1 *Nov.* 1870.	6. An Act to enable the trustees of the Worcester Turnpike Road to make certain new roads, and to improve and more effectually maintain the several roads leading into and from the city of Worcester; *so far as the same relates to the eighth district of roads.*
14 Vict. c. xiii. - *Limited to expire at end of session after* 31 *Oct.* 1872.	7. An Act for keeping in repair the road from Appleby in the county of Westmoreland to Kirkby-in-Kendal, and from Orton to the turnpike road near Shap, and from Highgate, near Tebay, through Kirkby Stephen, to Market Brough in the said county.
29 & 30 Vict. c. cxxii. *Limited to expire at end of session after* 1 *Nov.* 1871.	8. An Act for continuing the term and provisions of the several statutes relating to the Greenwich and Woolwich turnpike lower road in the county of Kent.

SECOND SCHEDULE.

Acts which are to expire at the Date (1st November 1870) mentioned in 32 & 33 Vict. c. 90.

Date of Act.	Title of Act.
53 G. 3. c. xxv. -	9. An Act for continuing and amending an Act of His present Majesty, for repairing the roads leading from Bowes in the county of York, through Barnard Castle and Bishop Auckland, to join the Great North Road near Sunderland Bridge in the county of Durham.
56 G. 3. c. xxxiii. -	10. An Act to rectify a mistake in an Act of the fifty-third year of His present Majesty, for repairing the roads from Bowes in the county of York to join the Great North Road near Sunderland Bridge in the county of Durham.
57 G. 3. c. lxviii. -	11. An Act for enlarging the term and powers of an Act of His present Majesty, for repairing the road from Cambridge to the Old North Road, near Arrington Bridge in the county of Cambridge.
58 G. 3. c. ii. -	12. An Act to continue the terms and alter and enlarge the powers of three Acts passed in the twenty-third year of the reign of His late Majesty King George the Second, and in the eleventh and thirty-seventh years of His present Majesty's reign, for repairing the road from the city of York to Boroughbridge in the county of York.
3 G. 4. c. xlviii. -	13. An Act for more effectually repairing and widening the roads from Spann Smithy, through Middlewich and by Spittle Hill in Stanthorn, to Winsford Bridge, and from Spittle Hill to Northwich in the county palatine of Chester.
4 G. 4. c. xxv. -	14. An Act for more effectually amending, widening, and keeping in repair several roads in and near to the town of Tenbury in the counties of Salop, Worcester, and Hereford, and the roads leading from the Knowle Gate to the turnpike road on the Clee Hill, and from Kyre Mill to the turnpike road leading from Bromyard to Tenbury.
4 G. 4. c. lv. -	15. An Act for more effectually amending the roads from the Little Bridge over the end of the drain near Wisbeach River, lying between Roper's Fields and the Bell Inn in Wisbeach in the Isle of Ely, to the west end of Long Bridge in South Lynn in the borough of King's Lynn in the county of Norfolk, and for amending, improving, and keeping in repair certain other roads therein mentioned, in the said county of Norfolk.

A.D. 1870.

Date of Act.	Title of Act.
5 G. 4. c. viii. -	16. An Act for amending, improving, and keeping in repair the roads leading from Wetherby to Knaresborough in the West Riding of the county of York.
6 G. 4. c. ii. - -	17. An Act for repairing and maintaining the road from Penwortham Bridge to the boundary between the townships of Wrightington and Shevington, and the road from Lydiate Lane End to a bridge called Little Hanging Bridge, all in the county of Lancaster.
7 & 8 G. 4. c. xxvii.	18. An Act for more effectually repairing and otherwise improving the road from the east end of Chapel Bar in Nottingham to the New China Works near Derby, and from the Guide Post in the parish of Lenton to Sawley Ferry, all in the counties of Nottingham and Derby; *so far as the same relates to the Eastern Division.*
7 & 8 G. 4. c. liv. -	19. An Act for repairing the road from Dunchurch to Hillmorton in the county of Warwick, and from thence to Saint James's End in the parish of Duston in the county of Northampton.
9 G. 4. c. x. - -	20. An Act for more effectually repairing and improving the roads leading to and from the port, harbour, and town of Whitehaven in the county of Cumberland.
10 G. 4. c. xxi. -	21. An Act for more effectually repairing, widening and improving the road from Harlow Bush Common, in the parish of Harlow in the county of Essex, to Stump Cross in the parish of Great Chesterford in the same county, and for making and maintaining two new lines of road communicating therewith.
11 G. 4. & 1 W. 4. c. xc.	22. An Act for repairing the road from Foston Bridge to the Division Stone on Witham Common in the county of Lincoln.
1 & 2 W. 4. c. lxvi. -	23. An Act for better repairing and improving several roads leading to and from the town of Frome in the county of Somerset.
2 W. 4. c. vi. -	24. An Act for more effectually maintaining and improving the roads from Birmingham to Wednesbury, and to Great Bridge, and from thence to the Portway adjoining the Bilston and Wednesbury turnpike road, and to Nether Trindle near Dudley, and from Trouse Lane in the parish of Wednesbury to Darlaston, in the counties of Warwick, Stafford, and Worcester; and for making new branches of road communicating therewith.
2 W. 4. c. xx. -	25. An Act for more effectually repairing and otherwise improving the road from Doncaster to Bawtry in in the county of York.

Date of Act.	Title of Act.
2 W. 4. c. xcviii. -	26. An Act for repairing and improving the road from the Great Bridge in the borough of Warwick, through Southam and Daventry, to the town of Northampton.
3 W. 4. c. xliii. -	27. An Act for more effectually repairing the road from Lewes to Brighthelmston in the county of Sussex.
5 & 6 W. 4. c. lxiii. -	28. An Act for improving and more effectually repairing the several roads leading into and from the city of Worcester; *so far as the same relates to the first, second, third, fourth, fifth, sixth, and seventh districts of roads.*
11 & 12 Vict. c. cxxxvii.	29. An Act to enable the trustees of the Worcester Turnpike Road to make certain new roads, and to improve and more effectually maintain the several roads leading into and from the city of Worcester; *so far as the same relates to the first, second, third, fourth, fifth, sixth, and seventh districts of roads.*

THIRD SCHEDULE.

Acts which are to be repealed on or after the date (1st November 1870) mentioned in 32 & 33 Vict. c. 90.

Date of Act.	Title of Act.
2 Vict. c. xxii. - *Limited to expire at end of session after 1 September 1870.*	30. An Act for more effectually repairing and improving the road from Wearmouth Bridge to Tyne Bridge, with a branch from the said road to the town of South Shields, all in the county of Durham.
4 Vict. c. xxxiii. - *Limited to expire at end of session after June 1872.*	31. An Act for more effectually repairing the road from Cranford Bridge to Maidenhead Bridge, with roads thereout to Eton Town End, and to the Great Western Railway, and from Langley Broom to Datchet Bridge, all in the counties of Middlesex and Bucks.
17 & 18 Vict. c. lxxv. *Limited to expire at end of session after 1 November 1875.*	32. An Act to create a further term in the Trowbridge roads, to add other roads to the trust, to amend and extend the Act relating to the said roads; and for other purposes.

A.D. 1870.

FOURTH SCHEDULE.

Acts which are to continue until the 31st of December 1870, and no longer.

Date of Act.	Title of Act.
3 G. 4. c. lxv. -	33. An Act to repeal several Acts passed for repairing several roads leading to the town of Bridgewater in the county of Somerset, and several other roads therein mentioned, so far as the said Acts relate to the roads leading to the said town, and to consolidate and comprise the same in one Act of Parliament.
1 & 2 Vict. c. lxxvii.	34. An Act to vary and alter the lines of the Kirkstall, Ilkley, and Shipley district of road, and for making a new road from the Otley branch road in the said district to Burley in the parish of Otley, all in the West Riding of the county of York.

FIFTH SCHEDULE.

Acts which are to be repealed on the 31st of May 1871.

Date of Act.	Title of Act.
3 Vict. c. xxxviii. - *Limited to expire at end of session after* 19 *May* 1871.	35. An Act for repairing and maintaining a road from Banbury in the county of Oxford to Lutterworth in the county of Leicester, and other roads communicating therewith.
4 Vict. c. xx. - *Limited to expire at end of session after* 1 *June* 1872.	36. An Act for maintaining certain roads in the county of Cambridge, to be called "The Stumpcross Roads."

SIXTH SCHEDULE.

Acts which are to continue until the 1st of November 1871, and no longer, unless Parliament in the meantime otherwise provides.

Date of Act.	Title of Act.
57 G. 4. c. xlvi. -	37. An Act for continuing and amending an Act of His present Majesty, for repairing the road from Stamford in the county of Lincoln, through Oakham, to the Great North Road in the parish of Greetham in the county of Rutland.

Date of Act.	Title of Act.
1 & 2 G. 4. c. xxvii.	38. An Act for more effectually making, repairing, and improving the road from near the place where the Broil Park Gate formerly stood to the Horsebridge Turnpike Road on the Dicker, and from the Blacksmith's Shop in Horsebridge Street to the town of Battle in the county of Sussex.
3 G. 4. c. lxx. -	39. An Act for repairing, widening, and maintaining the road leading from Dartford to and through Northfleet and Gravesend, and thence to the Stones End near the parish church of Strood in the county of Kent.
4 G. 4. c. cxi. -	40. An Act for more effectually repairing the road from Wansford Bridge in the county of Northampton to Stamford, and from Stamford to Bourn in the county of Lincoln.
6 G. 4. c. xi. -	41. An Act for making and maintaining a turnpike road from Midhurst in the county of Sussex, to the London and Portsmouth Turnpike Road between the fifty-second and fifty-third milestones near Sheet Bridge in the county of Southampton.
6 G. 4. c. xlvii. -	42. An Act for more effectually amending, widening, and maintaining the road from Barton Bridge in the parish of Eccles, through the township of Worsley, to Moses Gate in the township of Farnworth, and for making, repairing, and improving other roads to communicate therewith, all in the county palatine of Lancaster.
7 G. 4. c. xxii. -	43. An Act for repairing the road from Birmingham to Watford Gap in the parish of Sutton Coldfield in the county of Warwick, and other roads communicating therewith; *so far as the same relates to the Kingsbury Branch Road.*
7 G. 4. c. cxxx. -	44. An Act for more effectually improving the roads from Doncaster to Salter's Brook Bridge, and for diverting and altering the said roads, and making certain branches therefrom, all in the county of York.
7 & 8 G. 4. c. xxvii.	45. An Act for more effectually repairing and otherwise improving the road from the east end of Chapel Bar in Nottingham to the new China Works near Derby, and from the Guide Post in the parish of Lenton to Sawley Ferry, all in the counties of Nottingham and Derby; *so far as the same relates to the road from Derby to Risley.*
9 G. 4. c. lxxxiii. -	46. An Act for amending, diverting, and improving the present roads, and making and maintaining certain new roads between the towns of Birstal and Huddersfield in the West Riding of the county of York.

A.D. 1870.

Date of Act.	Title of Act.
1 & 2 W. 4. c. xxix. -	47. An Act for more effectually repairing, amending and improving the roads from Liverpool to Prescot, Ashton, and Warrington, in the County Palatine of Lancaster.
2 W. 4. c. lxxxiv. -	48. An Act for maintaining and improving certain roads within the counties of Worcester and Stafford called "The Dudley and Brettell Lane District of Roads," and for making several Branches from such roads.
5 W. 4. c. xxxviii. -	48a. An Act for more effectually repairing the road from Mullen's Pond in the county of Southampton, through Amesbury, to the Eighteen Milestone from the city of New Sarum near Willoughby Hedge in the county of Wilts, and several other roads leading out of the said road.
6 W. 4. c. lxxxv. -	49. An Act to amend an Act passed in the ninth year of the reign of King George the Fourth, for diverting, improving, and maintaining the roads between the towns of Birstal and Huddersfield in the West Riding of the county of York.
6 & 7 W. 4. c. cxviii.	50. An Act for repairing, maintaining, and improving the road from Dewsbury to Ealand in the West Riding of the county of York.
1 & 2 Vict. c. xciv. -	51. An Act for more effectually repairing, improving, and maintaining the Dudley Hill and Killinghall Turnpike Road, and for making a new road therefrom to communicate with the Leeds and Harrogate Turnpike Road, all in the West Riding of the county of York.
6 & 7 Vict. c. xxvi. -	52. An Act for repairing and improving certain roads in the neighbourhood of Trentham and Stone in the county of Stafford, and for making and maintaining a new road from Trentham Inn to the Newcastle-under-Lyme and Market Drayton Turnpike Road in the same county, and another new piece of road in the parish of Trentham aforesaid; *so far as the same relates to the Walton in Stone to Eccleshall, or Second District of Roads.*
16 & 17 Vict. c. cxxxv.	53. An Act for more effectually repairing and improving several roads leading to and from the town of Salford, through Pendleton, and other places in the county palatine of Lancaster.

SEVENTH SCHEDULE.

A.D. 1870.

Acts which are to be repealed on and after the 1st of November 1871, unless Parliament in the meantime otherwise provides.

Date of Act.	Title of Act.
14 Vict. c. xx. - *Limited to expire at end of session after 20 May 1872.*	54. An Act for maintaining in repair several roads leading from and through the town of Wiveliscombe in the county of Somerset, and the roads adjoining thereto in the counties of Somerset and Devon.
15 Vict. c. lxxxvi. - *Limited to expire at end of session after 21 October 1873.*	55. An Act to repeal the Acts and parts of Acts relating to the Pedmore and Holly Hall Districts of Roads, and to substitute other provisions for the same.
15 Vict. c. xcix. - *Limited to expire at end of session after 30 October 1873.*	56. An Act to repeal an Act for repairing the road from Kettering to the town of Northampton in the county of Northampton, and to substitute other provision in lieu thereof.
18&19 Vict. c. clxxvi. *Limited to expire at end of session after 1 November 1876.*	57. An Act for maintaining and improving the road from Gateshead in the county of Durham to the Hexham Turnpike Road near Dilston Bar in the county of Northumberland, and other roads connected therewith.

EIGHTH SCHEDULE.

(*Turnpike Trusts out of Debt and continued by the Annual Turnpike Acts Continuance Acts.*)

Acts which are to continue until the 1st of November 1871, unless Parliament in the meantime otherwise provides.

County.	Name of Trust.	No. of Trust.
Bedford -	Puddlehill - - - -	2
Cambridge -	Hauxton and Dunsbridge - -	38
	Paper Mills - - - -	3

County.	Name of Trust.	No. of Trust.	
Cumberland -	Kingstown and Westlinton Bridge -	35	
	Longtown - - - -	42	
Gloucester -	Cheltenham and Tewkesbury - -	6	
	Maisemore - - - -	56	5
	Northgate - - - -	33	
	Over - - - -	56	
	Stow and Moreton, United - -	4, 7, 16, 23, 48	
	Tewkesbury - - - -	32	
Hants - -	Portsmouth and Sheetbridge - -	11	10
	Southampton, South District - -	20	
	Winchester, Upper District - -	5	
Hertford -	Cheshunt - - - -	55	
	Wadesmill - - - -	8	
Kent - -	Dover to Barham Downs - -	22	15
	Tonbridge - - - -	60, 61	
	Whitstable - - - -	25	
Lancaster -	Crossford Bridge and Manchester - -	44, 63	
	Manchester and Saltersbrook - -	30, 57	
Leicester -	Bridgford Lane and Kettering, South Part of Northern Division.	21	20
	Burton Bridge to Market Bosworth -	45	
	Melton Mowbray - - -	29	
Lincoln -	Bridge End - - - -	28	
	Deeping and Morcott - - -	40	25
Monmouth -	Chepstow - - - -	15	
Norfolk -	Lynn, East Gate - - -	47	
	Norwich, Swaffham, and Mattishall -	59	
Northampton -	Buckingham and Hanwell, Lower Division	50	
	Market Harborough and Welford - -	18	30
Northumberland	Alemouth and Hexham, Eastern District -	13	
	Alnwick and Eglingham - -	31	
	Wooler and Adderstone - - -	27	
Nottingham -	Bawtry and Scrooby - - -	1	
	Bingham - - - -	10	35
	Foston Bridge and Little Drayton -	9	
	Nottingham and Kettering, Northern Division.	21	
Oxford -	Burford, Chipping Norton, Banbury, and Aynho.	48	40
	Drayton Lane to Edgehill - - -	17	
	Gosford Road - - - -	14	
Rutland -	Nottingham and Kettering, Southern Division.	21	
Somerset -	Radstock - - - -	43	45

A.D. 1870.

County.	Name of Trust.	No. of Trust.
Stafford -	Ashby-de-la-Zouch to Tutbury - -	26
	Newcastle-under-Lyme and Drayton -	52
	Streetway and Wordsley Green, and Wolverhampton and Cannock.	41
	Tamworth - - - - -	51
Suffolk -	Ipswich to South Town, and Darsham to Bungay.	39
Sussex -	Horsebridge and Horeham - -	19
Warwick -	Birmingham and Spernal Ash - -	37
	Birmingham and Stratford-on-Avon -	12
	Dunchurch to Stonebridge - -	24
	Great Kington and Wellesbourne - -	54
	Warwick, Paddlebrook, and Stratford -	34
	Wellesbourn and Stratford - -	53
Worcester -	Birmingham and Bromsgrove - -	46
	Evesham, First District, Pershore Division	16
York - -	Boroughbridge and Durham (part) -	49
	Leeds and Harrogate - - -	62
	Tadcaster Bridge and Hob Moor Lane End	58
	York to Kexby Bridge, and Grimston to Stone Dale.	36

Date of Act.	Title of Act.
53 G. 3. c. xi. - -	1. An Act for enlarging the term and powers of two Acts of His present Majesty, for repairing and widening the road from Bawtry in the county of York to East Markham Common in the county of Nottingham, and from Little Drayton to Twyford Bridge in the said county of Nottingham.
54 G. 3. c. cxxi. -	2. An Act for continuing and amending an Act of His present Majesty, for repairing the road from Dunstable to Hockliffe in the county of Bedford.
55 G. 3. c. xlix. -	3. An Act for more effectually repairing the road from Jesus Lane in the town of Cambridge to Newmarket Heath in the county of Cambridge.
56 G. 3. c. i. -	4. An Act for enlarging the term and powers of two Acts of His present Majesty, for repairing the road from Chapel on the Heath in the county of Oxford to Bourton on the Hill in the county of Gloucester.

A.D. 1870.

Date of Act.	Title of Act.
57 G. 3. c. xxvi. -	5. An Act for amending the roads leading from Basingstone near Bagshot, through Farnham in the county of Surrey, and Alton and New Alresford, to Winchester in the county of Southampton ; *so far as the same relates to the Upper District of Roads.*
58 G. 3. c. v. -	6. An Act for enlarging the term and powers of two Acts of His present Majesty, for repairing the roads leading from the city of Gloucester towards Cheltenham and Tewkesbury in the County of Gloucester.
59 G. 3. c. cxxiv. -	7. An Act for enlarging the term and powers of an Act, passed in the thirty-fourth year of the reign of His present Majesty, for repairing the roads leading from the town of Tewkesbury in the county of Gloucester, and other roads therein mentioned, so far as such Act relates to the road from Stump Cross in the parish of Didbrook to Stow-on-the-Wold in the county of Gloucester.
1 & 2 G. 4. c. xvii. -	8. An Act for continuing and amending four Acts of their late Majesties King George the Second and King George the Third, for repairing the roads leading from Wades Mill in the county of Hertford to Barley and Royston in the said county.
1 & 2 G. 4. c. xxix. -	9. An Act for continuing the term and amending, altering, and enlarging the powers of an Act of His late Majesty's reign for more effectually repairing the Road from Foston Bridge in the county of Lincoln, to Little Drayton in the county of Nottingham.
1 & 2 G. 4. c. xxx. -	10. An Act for more effectually repairing and improving the road from Newark-upon-Trent in the county of Nottingham, to join the road from Nottingham to Grantham in the county of Lincoln, near the Guide Post on the Foss Road near Bingham, in the said county of Nottingham.
1 & 2 G. 4. c. lvi. -	11. An Act to continue the term and alter and enlarge the powers of two Acts, for repairing the roads from Sheet Bridge to Portsmouth, and from Petersfield to the Alton Turnpike Road near Ropley, in the county of Southampton.
1 & 2 G. 4. c. lxxxi.	12. An Act for repairing the road from Birmingham, through Stratford-upon-Avon, to Stratford Bridge in the county of Warwick.
1 & 2 G. 4. c. lxxxiv.	13. An Act for repairing the road from Alemouth, through Alnwick and Rothbury, to Hexham, and a branch from the said road between Alnwick and Rothbury to Jockey's Dike Bridge, all in the county of Northumberland ; *so far as the same relates to the Eastern District.*

Date of Act.	Title of Act.
1 & 2 G. 4. c lxxxvi.	14. An Act to continue and amend two Acts for repairing the road from the turnpike road near the town of Weston-on-the-Green in the county of Oxford to the turnpike road on Kidlington Green in the said county.
3 G. 4. c. ii. - -	15. An Act for repairing and maintaining certain roads leading to and from Chepstow and other places in the counties of Monmouth and Gloucester, called the District of Chepstow and the New Passage District.
3 G. 4. c. lxix. -	16. An Act for repairing and amending several roads leading to and from the borough of Evesham in the county of Worcester, and several other roads in the counties of Worcester and Gloucester; *so far as the same relates to the Second District, and to the Pershore Division of the First District.*
3 G. 4. c. xc. -	17. An Act for more effectually repairing the road from the Guide Post near the end of Drayton Lane, near Banbury in the county of Oxford, to the house called the Sun Rising, at the top of Edge Hill in the county of Warwick.
3 G. 4. c. c. - -	18. An Act for amending, widening, and keeping in repair the roads leading from the town of Northampton to Chain Bridge near the town of Market Harborough, and from the Direction Post in Kingsthorpe to Welford Bridge, all in the county of Northampton.
4 G. 4. c. xii. -	19. An Act for more effectually making, repairing and improving the roads from Union Point near Uckfield to the sea houses in Eastbourne, and from Horsebridge to Cross in Hand, all in the county of Sussex.
4 G. 4. c. xv. -	20. An Act for repairing and improving the roads from the town of Stockbridge to the city of Winchester, and from the said city of Winchester to the top of Stephen's Castle Down near the town of Bishop's Waltham in the county of Southampton, and from the said city of Winchester through Otterborne to Bar Gate in the town and county of the town of Southampton, and certain roads adjoining thereto; *so far as the same relates to the South District of the Southampton Road.*
4 G. 4. c. lvi.	21. An Act for continuing the term and powers of an Act of His late Majesty's Reign, for repairing the road from the north end of Bridgford Lane in the county of Nottingham to the Bowling Green at Kettering in the county of Northampton.

A.D. 1870.

Date of Act.	Title of Act.
4 G. 4. c. lxxxi. -	22. An Act for amending and keeping in repair the roads from Dover to Barham Downs, and from Dover to the town of Folkestone, and from thence through the parish of Folkestone to Sandgate in the county of Kent; *so far as the same relates to the Dover to Barham Downs Road.*
5 G. 4. c. ix. -	23. An Act for amending and maintaining the roads from the Hand and Post at the top of Burford Lane in the county of Gloucester to Stow-on-the-Wold, and from thence to Paddle Brook; and from the Cross Hands on Salford Hill in the county of Oxford to the Hand and Post in the parish of Withington in the county of Gloucester.
5 G. 4. c. xliii. -	24. An Act for repairing the road from Dunchurch to Stonebridge in the county of Warwick.
5 G. 4. c. lxxxviii. -	25. An Act for more effectually repairing the roads leading from Saint Dunstan's Cross to North Lane near to the city of Canterbury, and to the sea side at Whitstable in the county of Kent, and for widening and improving the road from North Lane aforesaid over West Gate Bridge to the West Gate of the said city, and for making a foot bridge on each side of the said bridge and gate into the said city.
5 G. 4. c. ci. - -	26. An Act for more effectually repairing the road from Ashby-de-la-Zouch in the county of Leicester, through Burton-upon-Trent in the county of Stafford, to Tutbury in the said county of Stafford.
6 G. 4. c. xxviii. -	27. An Act for more effectually amending, widening, improving, and keeping in repair the road from Wooler to the Great North Turnpike Road at or near to Adderstone Lane in the county of Northumberland.
6 G. 4. c. liii. -	28. An Act for repairing the road branching out of the Great North Road by the Guide Post at the south end of Spittlegate in the parish of Grantham in the county of Lincoln, and leading from thence to the turnpike road at or near Bridge End in the same county.
6 G. 4. c. lxxxi. -	29. An Act for more effectually repairing, widening, altering, and improving the road from Melton Mowbray in the county of Leicester, to the guide post in Saint Margaret's Field, Leicester, and the road branching from the said road at or near a certain place in the lordship of Barkby in the said county called the Round Hill, to the town of Barkby.

Date of Act.	Title of Act.
7 G. 4. c. xvi. -	30. An Act for more effectually repairing and improving the roads from Manchester in the county palatine of Lancaster to Salter's Brook in the county palatine of Chester, and for making and maintaining several extensions or diversions of road, and a new branch of road to communicate therewith.
7 G. 4. c. lxxv. -	31. An Act for more effectually amending, widening, altering, improving, and maintaining the road from the town of Alnwick in the county of Northumberland by Eglingham and Chatton to the Great North Turnpike Road near to Haggerston Toll Bar in the county of Durham.
7 G. 4. c. lxxviii. -	32. An Act for making, maintaining, and repairing certain roads leading into and from the town of Tewkesbury in the county of Gloucester, towards the cities of Gloucester and Worcester, and the towns of Cheltenham, Stow-on-the-Wold, Evesham, and Pershore, and certain other roads therein mentioned in the counties of Gloucester and Worcester.
7 & 8 G. 4. c. xvi. -	33. An Act for more effectually repairing the roads from the city of Gloucester to the top of Birdlip Hill, and from the foot of the said hill to the top of Crickley Hill in the county of Gloucester.
7 & 8 G. 4. c. xxvi. -	34. An Act for repairing the roads from Warwick to Paddle Brook in the parish of Stretton-on-the-Fosse, and from Warwick to Stratford-upon-Avon, in the counties of Warwick and Worcester.
7 & 8 G. 4. c. li. -	35. An Act for amending, improving, and maintaining in repair the road between the point at which the great roads from the city of Carlisle to the cities of Edinburgh and Glasgow respectively separate, and Westlinton Bridge in the county of Cumberland.
7 & 8 G. 4. c. xcix. -	36. An Act for repairing the road from the city of York to Kexby Bridge, and from Grimston to the upper end of Stone Dale in the county of York.
9 G. 4. c. xxxiv. -	37. An Act for repairing the road from Spernal Ash in the county of Warwick through Studley to Birmingham.
9 G. 4. c. xxxvi. -	38. An Act for more effectually repairing the roads from the town of Cambridge to the Wadesmill Turnpike Road in the parishes of Great Chishill and Little Chishill in the county of Essex, and from the said town of Cambridge to Royston in the county of Cambridge.

A.D. 1870.

Date of Act.	Title of Act.
9 G. 4. c. xlv. -	39. An Act for repairing the road leading from Ipswich to South Town, and from the said Road, at or near Beech Lane in the parish of Darsham, to Bungay in the county of Suffolk.
10 G. 4. c. lxxviii. -	40. An Act for more effectually repairing the road from James Deeping Stone Bridge to Peter's Gate in Stamford in the county of Lincoln, and from thence to the south end of the town of Morcott in the county of Rutland.
10 G. 4. c. lxxix. -	41. An Act for improving and maintaining certain roads in the counties of Worcester, Warwick, Stafford, and Salop, called "The Dudley, Birmingham, Wolverhampton, and Streetway District;" *so far as the same relates to the Streetway and Wordsley Green and Wolverhampton and Cannock Roads.*
11 G. 4. c. ix. -	42. An Act for more effectually repairing the roads to and from Longtown, and certain other roads communicating therewith, in the county of Cumberland.
11 G. 4. c. xxxiv. -	43. An Act for more effectually repairing and otherwise improving several roads from Radstock to Buckland Dinham, Kilmersdon, Babington, and Hallastrow, and from Norton Down to Norton St. Philip, in the county of Somerset.
1 W. 4. c. vii. -	44. An Act for more effectually maintaining the road from Crossford Bridge to the town of Manchester in the county palatine of Lancaster, and for making a branch road to communicate therewith.
1 W. 4. c. x. -	45. An Act for repairing the road from Burton Bridge in the county of Stafford to Market Bosworth in the county of Leicester.
1 W. 4. c. xi. -	46. An Act for repairing the road from Birmingham to Bromsgrove.
1 & 2 W. 4. c. xxi. -	47. An Act for more effectually repairing the roads from the borough of King's Lynn, and other roads therein mentioned, and for making a new line of road at Castle Rising, all in the county of Norfolk.
2 W. 4. c. xvi. -	48. An Act for more effectually improving the road from Burford to Banbury in the county of Oxford, and from Burford to the road leading to Stow in the county of Gloucester, and from Swerford Gate in the county of Oxford to the road in Aynho in the county of Northampton; and for making a new branch of road to communicate with the same.

Date of Act.	Title of Act.
2 W. 4. c. xxii. -	49. An Act for more effectually repairing the road leading from Boroughbridge in the county of York to the city of Durham, and for making and maintaining certain deviations therein; *so far as the same relates to that part of the road situate in the county of York.*
2 W. 4. c. xxxiv. -	50. An Act for more effectually repairing the road from the Sessions House in the town of Buckingham to Hanwell in the county of Oxford; *so far as the same relates to the Lower Division.*
2 W. 4. c. li. -	51. An Act for maintaining several roads leading to and from the town of Tamworth in the counties of Stafford and Warwick.
2 W. 4. c. lv. -	52. An Act for more effectually repairing and improving the road from Newcastle-under-Lyme in the county of Stafford to Drayton in Hales, otherwise Market Drayton in the county of Salop, and for making new branches and deviations of roads to communicate therewith.
3 W. 4. c. xvi. -	53. An Act for repairing the road from Wellsbourn Mountfort to Stratford-upon-Avon in the county of Warwick.
3 W. 4. c. xli. -	54. An Act for repairing the road from Upton in Ratley to Great Kington and Wellesbourne Hastings in the county of Warwick.
3 W. 4. c. xlii. -	55. An Act for more effectually repairing the several roads leading from the towns of Hertford and Ware and other places in the county of Hertford.
3 W. 4. c. lv. -	56. An Act for more effectually repairing the roads leading from the city of Gloucester towards the city of Hereford, and also towards Newent and Newnham in the county of Gloucester, Ledbury in the county of Hereford, and Upton-upon-Severn in the county of Worcester.
3 W. 4. c. lvii. -	57. An Act to amend an Act passed in the seventh year of the reign of His late Majesty King George the Fourth, for repairing the roads from Manchester to Salter's Brook, and for making several roads to communicate therewith; and also for making a certain new extension or diversion of the said roads instead of a certain extension or diversion by the said Act authorized to be made.
3 & 4 W. 4. c. lxxxiii.	58. An Act for repairing, maintaining, and improving the road from Tadcaster Bridge within the county of the city of York to Hob Moor Lane End.

A.D. 1870.

Date of Act.	Title of Act.
5 W. 4. c. xl. -	59. An Act for more effectually repairing the road from Saint Benedict's Gate in the county of the city of Norwich to Swaffham in the county of Norfolk, and from Halfpenny Bridge in Honingham to the Bounds of Yaxham, and also a lane called Hangman's Lane, near the gates of the said city.
5 & 6 W. 4. c. lxiv. -	60. An Act for repairing the roads from Sevenoaks Common to Woodsgate, Tunbridge Wells, and Kipping's Cross, and from Tunbridge Wells to Woodsgate, in the county of Kent.
7 W. 4. c. xvii. -	61. An Act for amending an Act of His present Majesty, for repairing the roads from Sevenoaks Common to Woodsgate, Tunbridge Wells, and Kipping's Cross, and from Tunbridge Wells to Woodsgate, in the county of Kent.
2 Vict. c. xxxii. -	62. An Act for repairing and maintaining the road from Leeds, through Harewood, to the south-west corner of the inclosures of Harrogate in the West Riding of the county of York.
11 & 12 Vict. c. cxlvi.	63. An Act for altering and amending an Act passed for maintaining the road from Crossford Bridge to Manchester, and a branch connected therewith.

NINTH SCHEDULE.

(*Turnpike Trusts nearly out of Debt and continued by the Annual Turnpike Acts Continuance Act.*)

Acts which are to continue until the 1st of November 1871, unless Parliament in the meantime otherwise provides.

County.	Name of Trust.	Tolls in 1869.	Debt in 1869.		No. of Act.
		£	£	pr. cent.	
Berks -	Twyford and Theale - -	959	500	4	38, 64
Bucks -	Buckingham and Hanwell, Upper Division.	317	120	4	54
	Princes Risborough and Thame -	520	100	4	29
Chester -	Acton Bridge and Hartford Green	720	478	3	23, 42
	Macclesfield District of the Sandon	804	245	4	25, 33
	Span Smithy and Linley Lane -	402	400	3	26

County.	Name of Trust.	Tolls in 1869.	Debt in 1869.		No. of Act.
		£	£	pr.cent.	
Cornwall -	Callington - - -	1,010	900	4½ & 5	41
	Truro and Redruth - -	3,712	2,400	4	68, 69
Derby -	Sheffield and Gander Lane -	1,827	858	4	18
Durham -	Boroughbridge and Durham (part)	836	430	5	52
	Darlington and Cockerton Bridge (united).	515	250	5	58
	Durham and Tyne Bridge -	2,600	1,700	5	27
Gloucester	Berkeley, Dursley, Wotton-under-Edge, Frocester, and Cainscross.	3,387	1,400	4	19
	Sodbury Division, and Cirencester and Bath (united).	2,588	1,800	4	1, 21
Hants -	Stockbridge and Winchester -	—	—	—	22
	Winchester and Alton, Lower District.	526	300	4½	9
Hereford -	Ledbury - - - -	1,710	1,640	4	55
Hertford -	Sparrows Herne - - -	1,800	700	4½	67
	Watton - - - -	475	500	4	14
Huntingdon	Godmanchester and Cambridge -	772	260	4	3
	Somersham - - -	945	820	4	15
Kent -	Dover to Sandwich, through Deal	—	—	—	65
	Faversham, Hythe, and Canterbury.	1,512	550	4	48
Lancaster -	Liverpool and Preston - -	3,635	1,950	4	49
	Manchester to Rochdale, &c., Manchester District.	1,120	700	4½	5
	Rochdale and Manchester -	3,500	2,000	4 & 4½	66
Leicester -	Leicester and Lutterworth -	697	198	5	30
Lincoln -	Lincoln, Brigg, Barton, Caistor, and Melton.	1,711	886	4	40
Norfolk -	Lynn, South Gate - -	1,063	1,300	4	51
	Norwich and Scole - -	173	300	4	36
	Norwich and Yarmouth - -	647	500	4	50
Northampton.	Wellingborough and Northampton	448	430	5	10
Northumberland.	Cow Cawsey and Buckton Burn	1,752	900	5	61
Nottingham	Kirkby and Pinxton - -	141	200	3	45

County.	Name of Trust.	Tolls in 1869.	Debt in 1869.		No. of Act.
		£	£	pr.cent.	
Salop -	Ellesmere District, Wem Division	152	60	5	63
Somerset -	Chard - - - - -	743	500	4 & 5	44, 46
Stafford -	Sandon, Hugbridge, Hilderstone, and Draycott in the Moors.	640	470	5	25
Suffolk -	South Town - - - -	358	490	4½	57
Sussex -	Rye - - - - -	760	400	4	28
	Tunbridge Wells and Uckfield -	308	200	5	43
Warwick -	Alcester, United - -	997	800	4	7,17,35
	Birmingham to Stonebridge -	637	336	5	53
	Birmingham, Warwick and Warmington.	1,580	503	4	47
	Birmingham and Watford Gap -	1,457	500	4	34
	Coventry and Wolvey - -	225	41	4	2
	Evesham and Alcester, Alcester District.	244	200	4	11
	Stonebridge and Kenilworth -	118	955	4 & 5	6
Westmoreland.	Ambleside - - -	1,086	880	4	24
Wilts -	Calne - - - - -	601	400	5	4
	Marlborough and Froxfield -	127	100	4	39
	Westbury - - - -	921	950	3	32
Worcester	Evesham and Alcester, Evesham District.	171	250	5	11
	Inning's Lane - - - -	101	50	5	20
	Kidderminster - - -	2,169	800	5	
	Upton-on-Severn - -	625	350	4	31
York -	Bradford and Wakefield - -	2,710	1,500	4	12
	Harrogate and Hewick, and Ripon and Pateley Bridge, (united).	1,452	925	5	8, 16
	Hull and Beverley - -	1,218	575	2½	56
	Rochdale to Halifax and Elland -	4,395	1,830	5	60
	Sedbergh - - -	600	806	4	37
Denbigh -	Llanrwst - - - -	103	100	5	62
	Wrexham, Ruabon and Llangollen	836	2,024	4	13

Date of Act.	Title of Act.
52 G. 3. c. xxvii. -	1. An Act to continue the term, and alter and enlarge the powers of an Act passed in the twenty-third year of His present Majesty, for completing the road from Cirencester, in the county of Gloucester, through Tetbury to Woefield Corner, and a road from thence to or near Lambridge, near the city of Bath, and for other purposes relating thereto; and also to repair a certain road from Duffton to Underbridge, in the parish of Shipton Moigne, in the said county.
53 G. 3. c. vi. -	2. An Act for repairing the road from the city of Coventry to the Rugby Turnpike Road in the parish of Wolvey in the county of Warwick.
3 G. 3. c. xli. -	3. An Act for more effectually repairing the road from the Horseshoe Corner in Godmanchester in the county of Huntingdon to the South-east End of Castle Street in the town of Cambridge in the county of Cambridge.
53 G. 3. c. cxxviii. -	4. An Act for enlarging the term and powers of two Acts of His present Majesty, for repairing the road from Cherrill, through Calne, to Studley Bridge, and other Roads therein mentioned, in the county of Wilts.
54 G. 3. c. i. - -	5. An Act to continue and amend two Acts of the thirty-eighth and forty-third years of His present Majesty, for more effectually repairing that part of the roads from Manchester to Rochdale, Bury, and Radcliffe Bridge, all in the county palatine of Lancaster, which is called The Manchester District, and for making and maintaining a new branch of road to communicate therewith.
54 G. 3. c. xv. -	6. An Act for enlarging the term and powers of two Acts of His present Majesty, for repairing the road from the Warwick Road near Solihull to the guide post in Kenilworth, and from Stonebridge, to meet the aforesaid road at Balsall Common, in the county of Warwick, so far as respects the said road from Stonebridge to Balsall Common, and from thence to the said town of Kenilworth.
54 G. 3. c. lxxxiv. -	7. An Act for repairing the road from Aulcester to Wootton Wawen, in the county of Warwick.
54 G. 3. c. cci. -	8. An Act for repairing the roads from Harrowgate through Ripley and Ripon to Hutton Moor, and from Kirkby Hill Moor to Ripon, in the county of York.

Date of Act.	Title of Act.
57 G. 3. c. xxvi. -	9. An Act for amending the roads leading from Basingstone near Bagshot, through Farnham in the county of Surrey, and Alton and New Alresford, to Winchester in the county of Southampton; *so far as the same relates to the Lower District.*
59 G. 3. c. xix. -	10. An Act for enlarging the term and powers of an Act of His present Majesty, for repairing the road leading from a place called Morton's Corner, in the town of Wellingborough, in the county of Northampton, to the east end of Abington Street in the town of Northampton.
59 G. 3. c. xlvi. -	11. An Act for enlarging the term and powers of two Acts of His present Majesty, for repairing the road from Evesham Bridge, in the county of Worcester, to Alcester, in the county of Warwick.
59 G. 3. c. lxxx. -	12. An Act for more effectually repairing and improvthe road from Bradford to Wakefield, in the West Riding, in the county of York.
1 G. 4. c. xlv. -	13. An Act for more effectually repairing and improving the road from the town of Pool, in the county of Montgomery, through Oswestry, in the county of Salop, to Wrexham, in the county of Denbigh, and several other roads therein mentioned in the said counties, and in the county of Merioneth; and for making several new branches of roads to communicate with the said roads in the counties of Salop, Montgomery, and Denbigh.
1 G. 4. c. lxx. -	14. An Act for continuing and amending three Acts of their Majesties King George the Second and King George the Third, for repairing the roads from Hertford to Broadwater, and from Ware to Walkern, all in the county of Hertford.
1 G. 4. c. lxxix. -	15. An Act for repairing the road from Chatteris Ferry, through Somersham, to the Crown Inn in Saint Ives, and also the road branching out of the said road near Stock's Bridge through Needingworth to Hermitage Bridge, in the parish of Earith, in the county of Huntingdon.
1 & 2 G. 4. c. xi. -	16. An Act for enlarging the term and powers of several Acts of King George the Second, and of His late Majesty King George the Third, for repairing the high road from the borough of Ripon, by Ingram Bank, to the town of Pateley Bridge, in the county of York.
1 & 2 G. 4. c. xiii. -	17. An Act for repairing the roads from Stratford-upon-Avon in the county of Warwick, through Alcester and Feckenham, to Bradley Brook, in the county of Worcester, and other roads therein mentioned in the same counties.

Date of Act.	Title of Act.
1 & 2 G. 4. c. liv. -	18. An Act for continuing and amending two Acts of His late Majesty, for repairing the roads from Gander Lane, in the county of Derby, to Sheffield, in the county of York, and from Mosbrough Green to Clown, both in the said county of Derby; and also for widening and altering certain parts of the said roads, and making and maintaining certain branches of road communicating therewith.
1 & 2 G. 4. c. lxxxii.	19. An Act for repairing part of the great road from Gloucester to Bristol, and certain roads through and near the towns of Berkeley, Dursley, Wotton-under-edge, and Stroud, and other roads therein mentioned, in the counties of Gloucester and Wilts.
1 & 2 G. 4. c. xci. -	20. An Act for more effectually repairing several roads leading from Kidderminster in the county of Worcester, and several other roads connected therewith, in the counties of Worcester, Stafford, and Salop.
3 G. 4. c. xciii. -	21. An Act for repairing, altering, and improving the road from the Stone Pillar or Cross Hand in the parish of Chippenham in the county of Wilts, to or near to Knox Bridge in the parish of Westerleigh in the county of Gloucester; and several other roads therein mentioned, in the said counties of Gloucester and Wilts.
4 G. 4. c. xv. -	22. An Act for repairing and improving the roads from the town of Stockbridge to the city of Winchester, and from the said city of Winchester to the top of Stephen's Castle Down, near the town of Bishop's Waltham in the county of Southampton, and from the said city of Winchester through Otterborne to Bar Gate in the town and county of the town of Southampton, and certain roads adjoining thereto; *so far as the same relates to the Stockbridge and Winchester Road.*
4 G. 4. c. lxxxii. -	23. An Act for improving and keeping in repair the road from Tarporley in the county palatine of Chester to the south-east end of Acton Forge near Weverham in the same county.
5 G. 4. c. xiv. -	24. An Act for more effectually repairing and improving so much of the road from Keswick in the county of Cumberland, by Dumail Raise and Ambleside to Kirkby in Kendal in the county of Westmorland, as is situate in the said county of Westmorland; and also the road from Plumbgarth's Cross, near Kirkby-in-Kendal aforesaid, to the Lake called Windermere, in the county of Westmorland.

A.D. 1870.

Date of Act.	Title of Act.
5 G. 4. c. xxiv. -	25. An Act for amending, repairing, and maintaining the road from Sandon in the county of Stafford to Bullock Smithy in the county of Chester, and from Hilderstone to Draycott-in-the-Moors, and from Wetley Rocks to Tean in the said county of Stafford.
5 G. 4. c. xxv. -	26. An Act for improving and keeping in repair the road from Span Smithy in the county of Chester to Talk in the county of Stafford.
5 G. 4. c. cii. -	27. An Act for repairing the road from the city of Durham to Tyne Bridge, and for making and maintaining a collateral branch, and certain other branches, to communicate respectively with certain parts of the said road in the parishes of Chester-le-Street and Gateshead, all in the county of Durham.
6 G. 4. c. xliii. -	28. An Act for more effectually repairing and widening the road from Flimwell Vent in the county of Sussex, through Highgate in the county of Kent, and the parishes of Sandhurst, Newenden, and Northiam, to Taylor's Corner in the parish of Rye in the county of Sussex; and from Highgate aforesaid to Cooper's Corner in the county of Sussex; and also a piece of road communicating with the said road, called Whitebread Lane in the said county.
6 G. 4. c. xlv. -	29. An Act for more effectually repairing and improving certain roads passing through Princes Risborough in the county of Buckingham, and communicating with Aylesbury and Great Marlow in the said county, and Thame in the county of Oxford.
6 G. 4. c. lxxx. -	30. An Act for more effectually repairing, widening, altering, and improving the road from the borough of Leicester to the town of Lutterworth in the county of Leicester.
6 G. 4. c. cliii. -	31. An Act for repairing, improving, and keeping in repair several roads leading to and from the town of Upton-upon-Severn in the county of Worcester.
7 G. 4. c. xv. -	32. An Act for maintaining and improving the road leading from Pengate in the parish of Westbury to a place formerly called Price's Warren Gate, at Tinhead in the parish of Edington in the county of Wilts, and other roads near or adjoining the said roads in the counties of Wilts and Somerset.
7 G. 4. c. xx. -	33. An Act for amending an Act of His present Majesty, for repairing the road from Sandon in the county of Stafford to Bullock Smithy in the county of Chester, and from Hilderstone to Draycott-in-the-Moors, and from Wetley Rocks to Tean, in the county of Stafford; so far as relates to the Macclesfield District of the road, and for making a diversion of road in the said district.

A.D. 1870.

Date of Act.	Title of Act.
7 G. 4. c. xxii. -	34. An Act for repairing the road from Birmingham to Watford Gap in the parish of Sutton Coldfield in the county of Warwick, and other roads communicating therewith.
7 G. 4. c. xxiii. -	35. An Act for making and maintaining a turnpike road from Arrow in the county of Warwick to Pot Hooks End in the county of Worcester, and from Dunnington in the said county of Warwick to Crabs Cross in the said county of Worcester.
7 G. 4. c. xxvii. -	36. An Act for more effectually repairing, widening, and improving the road from the city of Norwich to Scole Bridge in the county of Norfolk.
7 G. 4. c. lxxii. -	37. An Act for more effectually repairing the roads from Kirkby Steven High-lane-head, through Sedbergh to Greeta Bridge, and other roads communicating therewith, in the several counties of Westmoreland, Lancaster and York; and for diverting, extending, and altering some of the said roads.
7 G. 4. c. lxxiii. -	38. An Act for repairing the road from the thirty-three mile stone in the parish of Ruscombe in the county of Berks towards Reading, to a place called the Seven Mile Stone in the parish of Beenham in the same county, and a certain other road communicating therewith.
7 & 8 G. 4. c. lii. -	39. An Act for more effectually repairing the road from Speenhamland in the county of Berks, to Marlborough in the county of Wilts, so far as relates to the Marlborough district of the said road.
7 & 8 G. 4. c. lxvii. -	40. An Act for repairing the road from Barton Waterside House to Riseham Hedge Corner, and other roads in the county of Lincoln connected therewith.
7 & 8 G. 4. c. ci. -	41. An Act for repairing and improving certain roads leading to and from Callington in the county of Cornwall.
9 Geo. 4. c. cv. -	42. An Act for more effectually amending and improving the Road from Northwich to the Guide Post heretofore upon Delamere Forest (now the parish of Delamere), near Kelsall Hill, in the county palatine of Chester.
10 G. 4. c. lv. -	43. An Act for more effectually repairing the road from Tunbridge Wells in the county of Kent to Uckfield in the county of Sussex.
10 G. 4. c. xciii. -	44. An Act for more effectually repairing and improving several roads which lead to and through the town and borough of Chard in the county of Somerset, and for making and maintaining a new road from Chard to Drempton in the county of Dorset.

A.D. 1870.

Date of Act.	Title of Act.
11 G. 4. c. vii. -	45. An Act for repairing and improving the road from the Nottingham and Mansfield turnpike road, through Kirkby and Pinxton to Carter Lane, and to the colliery near Pinxton Green, in the counties of Nottingham and Derby.
11 G. 4. c. lxxxvi. -	46. An Act for amending an Act of the last session, intituled "An Act for more effectually repairing and "improving several roads which lead to and through "the town and borough of Chard in the county of "Somerset, and for making, and maintaining a new "road from Chard to Drempton in the county of "Dorset;" and for making and maintaining other roads communicating with the said roads in the counties of Somerset, Devon, and Dorset.
11 G. 4. c. xciv. -	47. An Act for repairing the road from Birmingham through Warwick and Warmington, in the county of Warwick, to the utmost limits of the said county on Edgehill.
1 W. 4. c. vi. -	48. An Act for more effectually repairing and otherwise improving the road from the Post Road near Faversham, by Bacon's Water, through Ashford to Hythe, and from Bacon's Water to Castle Street in the city of Canterbury, all in the county of Kent.
1 W. 4. c. xxxiv. -	49. An Act for more effectually repairing and improving the road from Liverpool to Preston in the county palatine of Lancaster.
1 W. 4. c. lxv. -	50. An Act for more effectually repairing the road from Bishopsgate Bridge in the city of Norwich to the Caister Causeway in the county of Norfolk.
1 & 2 W. 4. c. xx. -	51. An Act for more effectually repairing and otherwise improving the several roads from the South Gate in the borough of King's Lynn into the parishes of East Walton, Narborough, Stoke Ferry, and Downham Market, in the county of Norfolk.
2 W. 4. c. xxii. -	52. An Act for more effectually repairing the road leading from Boroughbridge in the county of York to the city of Durham, and for making and maintaining certain deviations therein; *so far as the same relates to that part of the road situate in the county of Durham.*
2 W. 4. c. xxxiii. -	53. An Act for repairing the road from Birmingham (through Elmdon) to Stonebridge in the county of Warwick.
2 W. 4. c. xxxiv. -	54. An Act for more effectually repairing the road from the Sessions House in the town of Buckingham to Hanwell in the county of Oxford; *so far as the same relates to the Upper Division.*

A.D. 1870.

Date of Act.	Title of Act.
3 W. 4. c. lviii. -	55. An Act for more effectually repairing the several roads leading from the borough of Ledbury in the county of Hereford, and the road from the parish of Bromesberrow to the road from Gloucester to Worcester, and for making several roads to communicate therewith.
3 W. 4. c. xciii. -	56. An Act for maintaining the roads from the town of Kingston-upon-Hull to the town of Beverley in the East Riding of the county of York, and from Newland Bridge to the west end of the town of Cottingham in the same riding.
4 W. 4. c. xxix. -	57. An Act for more effectually amending, widening, and repairing the road from Yarmouth Bridge, through the hamlet of Southtown otherwise Little Yarmouth, to Gorleston in the county of Suffolk.
5 W. 4. c. xxv. -	58. An Act for more effectually repairing the Darlington and West Auckland and the Cockerton Bridge and Staindrop Roads in the county of Durham, and for consolidating the trusts thereof.
6 W. 4. c. viii. -	59. An Act for repairing and maintaining the road from Rochdale in the county palatine of Lancaster to Halifax and Ealand in the West Riding of the county of York.
6 W. 4. c. lxxxiii. -	60. An Act for more effectually improving and maintaining the turnpike road leading from the Cow Cawsey near the town of Newcastle-upon-Tyne to the town of Belford, and from thence to Buckton Burn in the county of Northumberland.
7 W. 4. c. xxxv. -	61. An Act for more effectually repairing, improving, and maintaining certain roads leading to and from the town of Llanrwst in the county of Denbigh.
1 Vict. c. xvii. -	62. An Act for repairing, amending, and maintaining the road from Shrewsbury, through Ellesmere in the county of Salop, to Wrexham in the county of Denbigh, and other roads branching out of the same; *so far as the same relates to the Wem Division of such roads.*
1 Vict. c. xli. -	63. An Act to alter, amend, and enlarge the powers and provisions of an Act passed in the seventh year of the reign of His late Majesty King George the Fourth, intituled "An Act for repairing the road "from the Thirty-three Mile Stone in the parish of "Ruscombe in the county of Berks, towards Reading, "to a place called the Seven Mile Stone, in the parish "of Beenham in the said county, and a certain other "road communicating therewith."

A.D. 1870.

Date of Act.	Title of Act.
2 Vict. c. xxxiii. -	64. An Act for repairing the road from Dover in the county of Kent, through Deal, to Sandwich in the said county.
6 & 7 Vict. c. xci. -	65. An Act for more effectually repairing the road from the new wall on the parade in Castleton in the parish of Rochdale, through Middleton, to the Mere Stone in Great Heaton, and to the town of Manchester, all in the county palatine of Lancaster; and for making a diversion in the line of such road.
8 Vict. c. ix. -	66. An Act for repairing the road from the south end of Sparrows Herne on Bushey Heath, through Watford, Berkhampstead Saint Peter, and Tring, in the county of Hertford, into the town of Aylesbury in the county of Buckingham.
11 & 12 Vict. c. li. -	67. An Act for repealing an Act of the ninth year of the reign of His Majesty King George the Fourth, intituled "An Act for making, repairing, and improving certain roads leading to and from Truro in "the county of Cornwall," and for making other provisions in lieu thereof; for forming, vesting, and improving certain roads, and for continuing and extending the Truro Turnpike Trust.
12 & 13 Vict. c. xliv.	68. An Act for consolidating the trusts of the Truro turnpike roads, and the Penryn and Redruth turnpike roads in the county of Cornwall, and for making a new turnpike road from Bosvigo Bridge to the turnpike road from Truro to Redruth, and for making the road or highway from Ferris Town to Bosvigo Bridge a turnpike road, and for maintaining all such roads; and for other purposes.

Turnpike Acts Continuance.

A

B I L L

To continue certain Turnpike Acts in Great Britain, to repeal certain other Turnpike Acts, and to make further Provisions concerning Turnpike Roads.

(*Prepared and brought in by Mr. Knatchbull-Hugessen and Mr. Secretary Bruce.*)

Ordered, by The House of Commons, *to be Printed,* 11 *May* 1870.

[Bill 125.]

Under 5 *oz.*

A

B I L L

TO

Confirm a certain Provisional Order made under an Act of the fifteenth year of Her present Majesty, to facilitate arrangements for the relief of Turnpike Trusts. A.D. 1870.

WHEREAS by an Act of the fifteenth year of Her Majesty, chapter thirty-eight, "to facilitate arrangements for the relief "of Turnpike Trusts, and to make certain provisions respecting "exemptions from Tolls," herein-after referred to as the principal Act, power is given to one of Her Majesty's Principal Secretaries of State to make provisional orders for reducing the rate of interest and for extinguishing the arrears of interest on mortgage debts charged or secured on the revenues of turnpike roads, in cases where such revenues are insufficient for the payment in full of the interest charged thereon: 14 & 15 Vict. c. 38.

And whereas by the Act of the Session of the twenty-fourth and twenty-fifth years of the reign of Her present Majesty, chapter forty-six, the principal Act is extended to turnpike roads the Acts relating to which are continued by any annual Turnpike Acts Continuance Act, although their revenues are not insufficient for such payments as aforesaid: 24 & 25 Vict. c. 46.

And whereas, in pursuance of the principal Act, and the said Act extending the same, the provisional order referred to in the schedule hereto has been made by Her Majesty's Principal Secretary of State for the Home Department, and there are stated in the said schedule the date of such order, and such particulars relating thereto as are therein specified:

And whereas it is expedient that the said provisional order should be confirmed and made absolute:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and

A.D. 1870.

Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Provisional order confirmed.

1. The provisional order, the date of which is set forth in the first column of the said schedule, is hereby confirmed, and the provisions thereof shall be of the like force and effect as if it had been expressly enacted by Parliament.

SCHEDULE.

Date of Provisional Order.	TITLE OF LOCAL ACT.	Amount of Principal Debt.	Interest to be reduced to the under-mentioned Rates per Annum.	Dates from which reduced Rate of Interest to commence.
		£ s. d.		
1870. 5 Feb.	3 Wm. 4. c. 74., "An Act for more "effectually repairing and otherwise "improving the road from Warrington to Wigan in the County Palatine "of Lancaster" - - - -	14,469 0 0	One penny per cent.	21 Aug. 1868 (certain arrears extinguished).

Turnpike Trusts Arrangements.

A

B I L L

To confirm a certain Provisional Order made under an Act of the fifteenth year of Her present Majesty, to facilitate arrangements for the relief of Turnpike Trusts.

(*Prepared and brought in by Mr. Knatchbull-Hugessen and Mr. Secretary Bruce.*)

Ordered, by The House of Commons, *to be Printed*, 18 *May* 1870.

[Bill 129.]

Under 1 *oz.*

747.

University Tests Bill.

ARRANGEMENT OF CLAUSES.

Clause
1. Short title of Act.
2. Interpretation of terms.
3. Persons taking lay academical degrees or holding lay academical or collegiate offices not to be required to subscribe any formulary of faith, &c.
4. Act not to interfere with lawfully established system of religious instruction, worship, and discipline.
5. Repeal of Acts in Schedule.

SCHEDULE.

[Bill 105.] A

A

BILL

TO

Alter the law respecting Religious Tests in the Universities of Oxford, Cambridge, and Durham, and in the Halls and Colleges of those Universities respectively. A.D. 1870.

WHEREAS it is expedient that the benefits of the Universities of Oxford, Cambridge, and Durham, and of the colleges and halls now subsisting therein, as places of religion and learning, should be rendered freely accessible to the nation:

And whereas, by means of divers restrictions, tests, and disabilities, many of Her Majesty's subjects are debarred from the full enjoyment of the same:

And whereas it is expedient that such restrictions, tests, and disabilities should be removed, under proper safeguards for the maintenance of religious instruction and worship in the said universities and the colleges and halls now subsisting within the same:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. This Act may be cited as "The Universities Tests Act, 1870." Short title.

2. In the construction of this Act— Interpretation of terms.

The word "college" includes the cathedral or house of Christ Church in Oxford, and any hall not being a private hall established under the Act of the session of the seventeenth and eighteenth years of the reign of Her present Majesty, chapter eighty-one, nor being a hostel established under the Act of the session of the nineteenth and twentieth years of the reign of Her present Majesty, chapter eighty-eight.

The word "office" includes every professorship, assistant or deputy professorship, public readership, prelectorship, lectureship, fellowship, studentship, tutorship, scholarship, and exhibition, and also any office or emolument not in this

A.D. 1870.

section specified, the income of which is payable out of the revenues of any of the said universities, or of any college within the said universities, or which is held or enjoyed by any member as such of any of the said universities, or of any college within any of the said universities.

Persons taking lay academical degrees or holding lay academical or collegiate offices not to be required to subscribe any formulary of faith, &c.

3. From and after the *passing of this Act*, no person shall be required, upon taking or to enable him to take any degree (other than a degree in divinity) within the Universities of Oxford, Cambridge, and Durham, or any of them, or upon exercising or to enable him to exercise any of the rights and privileges which may heretofore have been or may hereafter be exercised by graduates in the said Universities or any of them, or in any college subsisting at the time of the passing of this Act in any of the said Universities, or upon taking or holding or to enable him to take or hold any office in any of the said universities or any such college as aforesaid, or upon teaching or to enable him to teach within any of the said universities or any such college as aforesaid, or upon opening or to enable him to open a private hall or hostel in any of the said universities for the reception of students, to subscribe any article or formulary of faith, or to make any declaration or take any oath respecting his religious belief or profession, or to conform to any religious observance, or to attend or abstain from attending any form of public worship, or to be or abstain from being a member of any particular church, sect, or denomination; nor shall any person be compelled, in any of the said universities or any such college as aforesaid, to attend the public worship of any church, sect, or denomination to which he does not belong: Provided that—

(1.) Nothing in this section shall render a layman eligible to any office or capable of exercising any right or privilege in any of the said universities or colleges, which office, right, or privilege, under the authority of any Act of Parliament or any statute or ordinance of such university or college in force at the time of the passing of this Act, is restricted to persons in holy orders, or shall remove any obligation to enter into holy orders which is by such authority attached to any such office.

(2.) Nothing in this section shall open any office (not being an office mentioned in this section) to any person who is not a member of the Church of England, where such office is at the passing of this Act confined to members of the said Church by reason of any such degree as aforesaid being a qualification for holding that office:

(3.) Nothing in this Act shall apply to the headship of any college.

A.D. 1870.

Act not to interfere with lawfully established system of religious instruction, worship, and discipline.

4. Nothing in this Act shall interfere with or affect, any further or otherwise than is hereby expressly enacted, the system of religious instruction, worship, and discipline which now is or which may hereafter be lawfully established in the said universities respectively, or in the colleges thereof or any of them, or the statutes and ordinances of the said universities and colleges respectively relating to such instruction, worship, and discipline.

Repeal of Acts in schedule.

5. After the passing of this Act, the Acts specified in the schedule to this Act are hereby repealed to the extent in the third column of the said schedule mentioned; and all Acts of Parliament, and all statutes and ordinances of the said universities or colleges which are inconsistent with this Act are hereby repealed.

A.D. 1870.

SCHEDULE.

This Schedule, so far as respects Acts prior to the reign of George the First, refers to the edition prepared under the direction of the Record Commission, intituled, "The Statutes of the Realm, printed by command of His Majesty King George "the Third, in pursuance of an address of the House of Commons of Great "Britain, from original records and authentic manuscripts."

Date of Act.	Title of Act.	Extent of Repeal.
(1) 14 Chas. 2. c. 4. -	An Act for the uniformity of public prayers and administration of sacraments and other rites and ceremonies, and for establishing the form of making, ordaining, and consecrating bishops, priests, and deacons in the Church of England.	So much of section six (2) as is unrepealed; section eight (3); and section thirteen (4), except so far as it relates to the colleges of Westminster, Winchester, and Eton, or any governor or head thereof.
1 Geo. 1. st. 2. c. 13. -	An Act for the further security of His Majesty's person and government, and the succession of the Crown in the heirs of the late Princess Sophia being Protestants, and for extinguishing the hopes of the pretended Prince of Wales, and his open and secret abettors.	So much as is unrepealed.
31 Geo. 3. c. 32. -	An Act to relieve upon conditions, and under restrictions, the persons therein described from certain penalties and disabilities to which Papists or persons professing the Popish religion are by law subject.	So much of section fourteen as relates to any of the universities of Oxford, Cambridge, and Durham.
10 Geo. 4. c. 7. -	An Act for the relief of His Majesty's Roman Catholic subject.	So much as relates to any of the said universities or any college therein.
19 & 20 Vict. c. 88. -	An Act to make further provision for the good government and extension of the University of Cambridge, of the colleges therein, and of the College of King Henry the Sixth at Eton.	Section forty-five from the words "but such degree" inclusive, to the end of the section.

(1) 13 and 14 Chas. 2. in Ruffhead.
(2) Sections 9 and 10 in Ruffhead.
(3) Section 12 in Ruffhead.
(4) Section 17 in Ruffhead.

University Tests.

A

BILL

To alter the Law respecting Religious Tests in the Universities of Oxford, Cambridge, and Durham, and in the Halls and Colleges of those Universities respectively.

(*Prepared and brought in by Mr. Dodson, Mr. Solicitor-General, and Mr. William Edward Forster.*)

Ordered, by The House of Commons, *to be Printed,* 25 *April* 1870.

[Bill 105.]

Under 1 *oz.*

A

B I L L

TO

Amend the Vaccination Act, 1867.

A.D. 1870.

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament, and by the authority of the same, as follows:

Short title.

1. This Act may be cited as the Vaccination Amendment Act, 1870.

This Act to construed with Act of 1867.

2. This Act and the recited Act shall be construed together as one Act.

Orders under 31st section of Vaccination Act, 1867, not to exceed two.

3. No more than two orders shall be made under the thirty-first section of the Vaccination Act, 1867, for the vaccination of any one child.

Alteration of form of certificate.

4. The certificate in the schedule hereto shall be substituted for the certificate in the schedule to the Vaccination Act, 1867, and marked B.

Copy of certificate may be taken in certain cases, and may be admissible in evidence.

5. Where in any proceeding under the twenty-ninth or thirty-first section of the Vaccination Act, 1867, any certificate shall be produced by the defendant, the prosecutor shall be entitled to examine the same and to require that a copy shall be taken thereof, which shall be certified by the justice or justices before whom such proceeding shall be taken, and such copy shall in all legal proceedings be admissible as evidence of the contents of the certificate and of the name of the person making it.

A.D. 1870.

SCHEDULE.

I the undersigned hereby certify that I have this day examined the child of of in the parish or township of in the county of , and am of opinion that the said is in the following state of health [*here state the particulars of the condition of the child*], and is therefore not in a fit and proper state to be successfully vaccinated. I hereby postpone, &c.

Vaccination Act (1867) Amendment.

A

B I L L

To amend the Vaccination Act, 1867.

(*Prepared and brought in by Mr. Candlish and Mr. Serjeant Simon.*)

Ordered, by The House of Commons, *to be Printed*, 12 *May* 1870.

[Bill 126.]

Under 1 *oz.*

A

B I L L

TO

Amend the Acts for the Valuation of Lands and the levying of Assessments in Scotland. A.D. 1870.

WHEREAS an Act was passed in the seventeenth and eighteenth years of the reign of Her present Majesty, intituled "An Act for the Valuation of Lands and Heritages in Scotland," and that Act was amended by the Act twentieth and twenty-first Victoria, chapter fifty-eight, and by "The Valuation of Lands (Scotland) Amendment Act, 1867;" which Acts are herein-after termed the Valuation of Lands Acts: 17 & 18 Vict. c. 91. 20 & 21 Vict. c. 58. 30 & 31 Vict. c. 80.

And whereas it is expedient that the said Acts and the Acts relating to the imposing and levying of assessments for the relief of the poor and other purposes in Scotland should be amended, and that further provision should be made with respect to assessments on railways, canals, waterworks and gasworks:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Repeal of sections of Poor Law and Valuation Acts.

1. The thirty-seventh section of the public Act eighth and ninth Victoria, chapter eighty-three, with respect to the relief of the poor in Scotland, and the third section of "The Valuation of Lands (Scotland) Amendment Act, 1867," are hereby repealed.

As to ascertaining the annual value of railways.

2. In ascertaining the yearly rent or value, in terms of the Valuation of Lands Acts, of the lands and heritages in any parish, county or burgh, belonging to or leased by any railway company and forming part of their undertaking, the expenses incurred in maintaining or repairing the permanent way of the railway, and charged to revenue in the published accounts of such railway company for the year preceding that for which the valuation is made, shall be allowed by the assessor of railways and canals as a deduction before the cumulo yearly rent or value of the railway is fixed, provided the said assessor is satisfied that such sums have been truly

A.D. 1870.

expended in maintaining or repairing the permanent way of the railway; but the cost of repairs of stations, engine houses, workshops, wharfs, docks, depôts, counting-houses and other houses and places of business belonging to or leased by any railway company, and forming part of their undertaking, shall not be deemed to be expenses to be allowed by the said assessor in terms of this section.

As to ascertaining the annual value of waterworks and gasworks.

3. In ascertaining the yearly rent or value, in terms of the Valuation of Lands Acts, of the lands and heritages in any parish, county, or burgh, belonging to or leased by any water company or gas company, or any corporation being the owners of waterworks or gasworks, or any commissioners or trustees of waterworks or gasworks, and forming part of their respective undertakings, and valued by the assessor of railways and canals, the whole sums expended in maintaining and repairing the waterworks or gasworks belonging to or leased by such company, corporation, commissioners or trustees, including reservoirs, aqueducts, conduits, bridges, culverts, retorts, gasholders, and other works, and mains and pipes, and charged to revenue in their accounts for the year preceding that for which the valuation is made, shall be allowed by the said assessor as a deduction before the cumulo yearly rent or value of such waterworks or gasworks is fixed, provided the said assessor is satisfied that such sums have been truly expended in maintaining and repairing such waterworks or gasworks; but the cost of repairs of workshops, depôts, counting-houses, and other houses and places of business belonging to or leased by such company, corporation, commissioners or trustees, and forming part of their respective undertakings, shall not be deemed to be expenses to be allowed by the said assessor in terms of this section.

Valuation of waterworks and gasworks belonging to corporations, commissioners or trustees.

4. The provisions of the first-recited Act with respect to the valuation by the assessor of railways and canals of lands and heritages belonging to or leased by water companies or gas companies shall be and are hereby made applicable to lands and heritages belonging to or leased by any corporation being the owners of waterworks or gasworks, or any commissioners or trustees of waterworks or gasworks, having respectively any continuous lands and heritages liable to be assessed in more than one parish, county or burgh.

Assessments for the relief of the poor.

5. For the purposes of assessments to be imposed under the said Act eighth and ninth Victoria, chapter eighty-three, the yearly rent or value at which any lands and heritages are entered in the valuation roll for the county or burgh in which such lands and heritages are

situate shall be held to be the annual value of such lands and heritages, except as herein-after provided.

Assessment on railways, canals, waterworks, and gasworks.

6. For the purposes of any county, municipal, parochial or other public assessment, or any assessment, rate or tax under any Act of Parliament, to be imposed, made or levied in any county, parish or burgh, *One fourth* of the yearly rent or value at which the lands and heritages herein-after specified are entered in the valuation roll for the county or burgh in which such lands and heritages are situate shall be held to be the yearly rent or value of such lands and heritages; that is to say, First, All lands and heritages used exclusively as the line or basin of any canal or towing-path for the same, or as the line of any railway constructed under the powers of any Act of Parliament for public conveyance, excepting the stations, depôts, wharfs, and buildings, which shall be assessable on their full yearly value; and, Second, All underground waterpipes and gaspipes and underground waterworks and gasworks.

Saving recovery of assessments.

7. Nothing in this Act contained shall prejudice or affect the recovery of any assessment, rate or tax imposed or made before *the passing of this Act.*

Interpretation.

8. The term "valuation roll" in this Act shall mean the valuation roll for the year in which any assessment, rate or tax is imposed, made up in pursuance of the Acts for the Valuation of Lands and Heritages in Scotland in force for the time being; and the term "permanent way" in this Act shall have the meaning assigned to that term in "The Valuation of Lands (Scotland) Amendment Act, 1867."

Extent and short title of Act.

9. This Act shall extend to Scotland only, and may be cited for all purposes as "The Valuation of Lands and Assessments (Scotland) Act, 1870."

Valuation of Lands and Assessments (Scotland).

A

BILL

To amend the Acts for the Valuation of Lands and the levying of Assessments in Scotland.

(Prepared and brought in by the Lord Advocate and Mr. Adam.)

Ordered, by The House of Commons, *to be Printed,* 11 *April* 1870.

[Bill 102.]

Under 1 *oz.*

A

B I L L

[AS AMENDED BY THE SELECT COMMITTEE]

TO

Amend the Acts for the Valuation of Lands and the levying of Assessments in Scotland. A.D. 1870.

WHEREAS an Act was passed in the seventeenth and eighteenth years of the reign of Her present Majesty, intituled "An Act for the Valuation of Lands and Heritages in Scotland," and that Act was amended by the Act twentieth and twenty-first Victoria, chapter fifty-eight, and by "The Valuation of Lands (Scotland) Amendment Act, 1867;" which Acts are herein-after termed the Valuation of Lands Acts: 17 & 18 Vict. c. 91. 20 & 21 Vict. c. 58. 30 & 31 Vict. c. 80.

And whereas it is expedient that the said Acts and the Acts relating to the imposing and levying of assessments for the relief of the poor and other purposes in Scotland should be amended, and that further provision should be made with respect to assessments on railways, canals, waterworks and gasworks:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Repeal of sections of Poor Law and Valuation Acts.

1. The thirty-seventh section of the public Act eighth and ninth Victoria, chapter eighty-three, with respect to the relief of the poor in Scotland, and the third section of "The Valuation of Lands (Scotland) Amendment Act, 1867," are hereby repealed.

As to ascertaining the annual value of railways.

2. In ascertaining the yearly rent or value, in terms of the Valuation of Lands Acts, of the lands and heritages in any parish, county or burgh, belonging to or leased by any railway company and forming part of their undertaking, the expenses incurred in maintaining or repairing the permanent way of the railway, and charged to revenue in the published accounts of such railway company for the year preceding that for which the valuation is made, shall be allowed by the assessor of railways and canals as a deduction before the cumulo yearly rent or value of the railway is fixed, provided the said assessor is satisfied that such sums have been truly

A.D. 1870.

expended in maintaining or repairing the permanent way of the railway; but the cost of repairs of stations, engine houses, workshops, wharfs, docks, depôts, counting-houses and other houses and places of business belonging to or leased by any railway company, and forming part of their undertaking, shall not be deemed to be expenses to be allowed by the said assessor in terms of this section.

As to ascertaining the annual value of waterworks and gasworks.

3. In ascertaining the yearly rent or value, in terms of the Valuation of Lands Acts, of the lands and heritages in any parish, county, or burgh, belonging to or leased by any water company or gas company, or any corporation being the owners of waterworks or gasworks, or any commissioners or trustees of waterworks or gasworks, and forming part of their respective undertakings, and valued by the assessor of railways and canals, the whole sums expended in maintaining and repairing the waterworks or gasworks belonging to or leased by such company, corporation, commissioners or trustees, including reservoirs, aqueducts, conduits, bridges, culverts, retorts, gasholders, and other works, and mains and pipes, and charged to revenue in their accounts for the year preceding that for which the valuation is made, shall be allowed by the said assessor as a deduction before the cumulo yearly rent or value of such waterworks or gasworks is fixed, provided the said assessor is satisfied that such sums have been truly expended in maintaining and repairing such waterworks or gasworks; but the cost of repairs of workshops, depôts, counting-houses, and other houses and places of business belonging to or leased by such company, corporation, commissioners or trustees, and forming part of their respective undertakings, shall not be deemed to be expenses to be allowed by the said assessor in terms of this section.

Valuation of waterworks and gasworks belonging to corporations, commissioners or trustees.

4. The provisions of the first-recited Act with respect to the valuation by the assessor of railways and canals of lands and heritages belonging to or leased by water companies or gas companies shall be and are hereby made applicable to lands and heritages belonging to or leased by any corporation being the owners of waterworks or gasworks, or any commissioners or trustees of waterworks or gasworks, having respectively any continuous lands and heritages liable to be assessed in more than one parish, county or burgh.

Saving recovery of assessments.

5. Nothing in this Act contained shall prejudice or affect the recovery of any assessment, rate or tax imposed or made before the passing of this Act.

A.D. 1870.

Interpretation.

6. The term "valuation roll" in this Act shall mean the valuation roll for the year in which any assessment, rate or tax is imposed, made up in pursuance of the Acts for the Valuation of Lands and Heritages in Scotland in force for the time being; and the term "permanent way" in this Act shall have the meaning assigned to that term in "The Valuation of Lands (Scotland) Amendment Act, 1867."

Extent and short title of Act.

7. This Act shall extend to Scotland only, and may be cited for all purposes as "The Valuation of Lands and Assessments (Scotland) Act, 1870."

Valuation of Lands and Assessments (Scotland).

A

B I L L

[AS AMENDED BY THE SELECT COMMITTEE]

To amend the Acts for the Valuation of Lands and the levying of Assessments in Scotland.

(Prepared and brought in by the Lord Advocate and Mr. Adam.)

Ordered, by The House of Commons, *to be Printed,* 24 *June* 1870.

[Bill 179.]

Under 1 *oz.*

A

B I L L

TO

Repeal an Act intituled "An Act to alter the mode of giving "Notices for the holding of Vestries, of making Proclamation in cases of Outlawry, and of giving Notices "on Sundays in respect to various matters," so far as such Act relates to the Isle of Man.

A.D. 1870.

WHEREAS by an Act passed in the first year of Her present Majesty's reign, chapter forty-five, and intituled "An Act to "alter the mode of giving notices for the holding of vestries, and "of making proclamations in cases of outlawry, and of giving "notices on Sundays with respect to various matters," certain provisions were made as to the mode of giving notices in lieu of any other existing mode of giving notices on Sundays during or after divine service in churches or chapels, whether under or by virtue of any law or statute or by custom or otherwise: And whereas such Act is declared by the sixth section thereof to apply to the Isle of Man: And whereas the provisions of the said Act have not been observed in the Isle of Man by reason of the inhabitants of that island having been ignorant that the said Act applied thereto, and in consequence it is apprehended that divers notices given in the said island, and acts and things done in pursuance of such notices, are invalid:

1 Vict. c. 45.

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. This Act may be cited for all purposes as "The Notice Act (Isle of Man) Repeal Act, 1870."

Short title of Act.

2. The said Act passed in the first year of Her present Majesty's reign, chapter forty-five, is hereby repealed, so far as respects the Isle of Man, and shall be deemed never to have applied to or to

Repeal of 1 Vict. c. 45. so far as respects the Isle of Man.

A.D. 1870.

have been in force in the said island, except in so far as may be necessary for giving validity to any notice given or any act or thing done in the said island in pursuance of the said Act, and all notices given and acts and things done in the said island which would have been valid if the said Act had not applied to or been in force in the said island shall be valid accordingly.

Vestries (Isle of Man).

A

BILL

To repeal an Act intituled "An Act to "alter the mode of giving Notices "for the holding of Vestries, of "making Proclamation in cases of "Outlawry, and of giving Notices "on Sundays in respect to various "matters," so far as such Act relates to the Isle of Man.

(Prepared and brought in by Mr. Secretary Bruce and Mr. Knatchbull-Hugessen.)

Ordered, by The House of Commons, *to be Printed,* 6 *July* 1870.

[Bill 198.]

Under 1 *oz.*

767

A

B I L L

TO

Abolish Attachment of Wages. A.D. 1870.

WHEREAS by an Order in Council made on the eighteenth day of November one thousand eight hundred and sixty-seven, certain of the provisions of "The Common Law Procedure Act, "1854," were extended and applied to all the Courts of Record established under the provisions of "The County Courts Act, 1846," and also to the City of London Courts of Record as constituted by "The County Courts Act, 1867:"

And whereas much inconvenience has arisen by the attachment of wages to satisfy judgments recovered in some of such first-mentioned Courts, and it is expedient to prevent the attachment of wages to satisfy judgments recovered in any Court of Record or inferior Court:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same:

No order of attachment to be made after the passing of this Act.

1. That after the *passing of this Act* no order for the attachment of the wages of any servant, labourer, or workman shall be made by the judge of any Court of Record or inferior Court.

Short title.

2. That this Act may be cited as "The Wages Attachment "Abolition Act, 1870."

Wages Attachment Abolition.

A

B I L L

To abolish Attachment of Wages.

(*Prepared and brought in by Mr. Stevenson, Mr. Candlish, and Mr. Mundella.*)

Ordered, by The House of Commons, *to be Printed,*
20 *May* 1870.

[Bill 131.]

Under 1 *oz.*

A

B I L L

TO

Abolish Wages Arrestment in Scotland. A.D. 1870.

WHEREAS great evils have arisen through the arrestment of wages of labourers, manufacturers, artificers, and other workpeople, and also by the provisions relating to such arrestment in the Act first of Victoria, chapter forty-one, and it is desirable to remedy these evils:

Be it hereby enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same:

Wages of artificers not to be liable to arrestment for debts contracted after passing of Act.

1. That from and after *the passing of this Act* the wages of all labourers, manufacturers, artificers, and workpeople, if paid at intervals not exceeding *one month*, shall cease to be liable to arrestment for debts contracted subsequent to the passing of this Act, save as herein-after excepted.

Limitation of liability of wages to arrestment.

2. If the amount of wage exceeds *thirty shillings* per week, any surplus above that amount will still be liable to arrestment as before *the passing of this Act.*

As to debts previously contracted.

3. The date of this Act coming into force for all debts contracted prior to the passing of this Act shall be the *first day of July one thousand eight hundred and seventy-one.*

Short title.

4. This Act may be cited as, "The Wages Arrestment Abolition (Scotland) Act."

Wages Arrestment Abolition (Scotland).

A

BILL

To abolish Wages Arrestment in Scotland.

(*Prepared and brought in by Mr. Anderson, Mr. Gordon, Mr. Miller, and Mr. Armitstead.*)

Ordered, by The House of Commons, *to be Printed,* 9 *March* 1870.

[Bill 69.]

Under 1 *oz.*

A

B I L L

[AS AMENDED IN COMMITTEE]

TO

Limit Wages Arrestment in Scotland.

A.D. 1870.

WHEREAS great evils have arisen through the arrestment of wages of labourers, manufacturers, artificers, and other workpeople, and also by the provisions relating to such arrestment in the Act first of Victoria, chapter forty-one, and it is desirable to remedy these evils:

Be it hereby enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same:

Wages of artificers not to be liable to arrestment for debts contracted after 1 Jan. 1871.

1. That from and after the first day of January one thousand eight hundred and seventy-one the wages of all labourers, manufacturers, artificers, and workpeople shall cease to be liable to arrestment for debts contracted subsequent to the passing of this Act, save as herein-after excepted.

Limitation of liability of wages to arrestment.

2. If the amount of wage exceeds twenty shillings per week, any surplus above that amount will still be liable to arrestment as before the passing of this Act, but the expense or cost of any such arrestment shall not be chargeable against the debtor unless in virtue of such arrestment the arresting creditor shall recover a sum larger than the amount of such expense or cost.

Act not to affect decrees for alimentary allowances or for rates and taxes.

3. This Act shall in no way affect assessments in virtue of decrees for alimentary allowances or payments, or for rates and taxes imposed by law; but every arrestment used after the first day of January one thousand eight hundred and seventy-one for such alimentary allowances or payments, or for rates and taxes imposed by law, shall set forth the nature of the debt for which it has been used, otherwise the same shall not be effectual.

Short title.

4. This Act may be cited as "The Wages Arrestment Limitation (Scotland) Act."

[Bill 118.]

Wages Arrestment Limitation (Scotland).

A

BILL

[AS AMENDED IN COMMITTEE]

To limit Wages Arrestment in Scotland.

(*Prepared and brought in by Mr. Anderson, Mr. Gordon, Mr. Miller, and Mr. Armitstead.*)

Ordered, by The House of Commons, *to be Printed*, 5 *May* 1870.

[Bill 118.]

Under 1 *oz*

A

B I L L

FOR

Making further provision relating to the Management of certain Departments of the War Office. A.D. 1870.

WHEREAS previously to the date of the Act next herein-after mentioned divers duties relating to the administration of ordnance, munitions of war, and military stores, were performed by certain officers, styled the principal officers of Ordnance: And whereas by the Act of the session of the eighteenth and nineteenth years of the reign of Her present Majesty, chapter one hundred and seventeen, intituled "An Act for transferring to one of Her "Majesty's principal Secretaries of State the powers and estates "vested in the principal officers of the Ordnance," all the duties hitherto performed by the said principal officers were vested in one of Her Majesty's principal Secretaries of State: And whereas by the Act of the session of the twenty-sixth and twenty-seventh years of the reign of Her present Majesty, chapter twelve, intituled "An Act to abolish the office of Secretary at War, and to transfer "the duties of that office to one of Her Majesty's principal "Secretaries of State," the office of Secretary at War was abolished, and the various duties, powers, and authorities of the Secretary at War were vested in one of Her Majesty's principal Secretaries of State: And whereas it is expedient to make further provision for the performance of the increased duties that have so devolved on the said Secretary of State, and that the officers to be appointed under this Act to discharge such duties should, as the principal officers of Ordnance and Secretary at War formerly were, be eligible to sit in Parliament:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. This Act may be cited for all purposes as "The War Office Act, 1870." Short title of the Act.

[Bill 30.]

A.D. 1870.

Appointment of clerk of ordnance.

2. From and after the passing of this Act Her Majesty may by warrant under the hand and seal of one of Her Majesty's principal Secretaries of State, from time to time appoint during pleasure an officer to be styled the clerk of the ordnance, and such officer shall be capable of being elected to, and of sitting and voting in the Commons House of Parliament, and the office of clerk of the ordnance shall be held to be an office to which the provisions of section fifty-two of the Representation of the People Act, 1867, shall apply in like manner as if the office of clerk of the ordnance was one of the offices described in Schedule H. to the last-mentioned Act annexed.

Appointment of Financial Secretary of War Office.

3. From and after the passing of this Act one of Her Majesty's principal Secretaries of State may from time to time appoint and at his pleasure remove an officer to be styled the Financial Secretary of the War Office, and such officer shall not by virtue of such appointment, if sitting in the Commons House of Parliament, vacate his seat, or, whether sitting in such house or not, be disqualified from being elected to or sitting or voting in the said House of Parliament.

Duties and payment of officers appointed under Act.

4. There shall be performed by the officers appointed under this Act such duties in relation to the War Office of Her Majesty's Government as Her Majesty may, by Order in Council, from time to time assign to them, and such Order in Council shall, if Parliament be sitting at the time of the making thereof, be laid before Parliament within fourteen days after the date thereof, and if Parliament be not then sitting, within fourteen days after the next meeting thereof.

Salaries of officers.

5. *There shall be paid to the officers appointed under this Act, out of moneys to be provided by Parliament, such salaries as shall be from time to time regulated by the Lord High Treasurer or the Commissioners of Her Majesty's Treasury.*

War Office.

A

BILL

For making further provision relating to the Management of certain Departments of the War Office.

(*Prepared and brought in by Mr. Cardwell and Captain Vivian.*)

Ordered, by The House of Commons, *to be Printed,* 15 *February* 1870.

[Bill 30.]

Under 1 *oz.*

783

A

B I L L

TO

Make better provision respecting the Supply of Water to the Metropolis on Sundays. A.D. 1870.

WHEREAS many houses in the metropolis are not supplied, or not regularly supplied, with water on Sundays, and it is expedient to make provision for a better and more certain and regular supply of water to houses in the metropolis on Sundays:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Water companies to supply water on Sundays.

1. *Fourteen days* from and after the passing of this Act, every company supplying the metropolis, or any part thereof, with water for domestic use shall, on Sundays as well as on other days, supply to all houses supplied by them sufficient pure and wholesome water for the domestic use of the inhabitants of such houses.

This Act to be construed with the Metropolitan Water Act, 1852.

2. This Act shall be construed as one with the Act of the session of the fifteenth and sixteenth years of the reign of Her present Majesty, chapter eighty-four, intituled "Metropolitan Water Act, 1852;" and the same penalties shall be incurred by violating, refusing, or neglecting to comply with the provisions of this Act as by violating, refusing, or neglecting to comply with the provisions of the said Act, and shall be recoverable in the same manner as penalties under the said Act. And the words used in this Act shall be construed in like manner as in the said Act.

Short title.

3. This Act may be cited as "The Metropolitan Water Act, 1870."

[Bill 94.]

Water Supply on Sunday (Metropolis).

A

BILL

To make better provision respecting the Supply of Water to the Metropolis on Sundays.

(*Prepared and brought in by Mr. Stapleton, Colonel Stepney, and Dr. Brewer.*)

Ordered, by The House of Commons, *to be Printed,* 5 *April* 1870.

[Bill 94.]

Under 1 *oz.*

Wine and Beerhouse Act (1869) Amendment Bill.

ARRANGEMENT OF CLAUSES.

Clause.

1. Short title.
2. Extent of Act.
3. Interpretation.
4. Transfers of certificates.
5. Provision as to convictions against the principal Act and this Act.
6. Provision as to existing licences.
7. Regulation as to closing.
8. Avoidance of licences upon refusal to renew certificate.
9. Limit of mitigation of penalties.
10. Houses licensed to retail sweets.
11. Visitation of suspected houses.
12. Repeal of 5 Geo. 4. c. 54. s. 6., 6 Geo. 4. c. 81. s. 2., and 13 & 14 Vict. c. 67. s. 6. so far as relates to brewers' retail licences.
13. Duration of the principal Act and of this Act.

A

B I L L

TO

Amend and continue "The Wine and Beerhouse Act, 1869." A.D. 1870.

BE it enacted by the Queen's most excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited as "The Wine and Beerhouse Act Amendment Act, 1870."

Extent of Act.

2. This Act shall not extend to Scotland or Ireland.

Interpretation.

3. In this Act the words "the principal Act" mean the Wine and Beerhouse Act, 1869, and the word "Sweets" includes sweets, made wines, mead, and metheglin.

Transfers of certificates.

4. Transfers of certificates, in pursuance of the ninth section of the principal Act, may be made by the justices, either at a general annual licensing meeting, or an adjournment thereof, or at any special or petty session for transfer of licences.

It shall be in the discretion of the justices to whom the application for a transfer is made, either to allow or refuse the application or to adjourn from time to time the consideration thereof.

They shall if they consent to the transfer, and if it is made to appear to them that the certificate to be transferred is lost or destroyed, or for any sufficient reason cannot be produced for the purposes of the transfer, grant to the transferee a new certificate upon his paying the like fees as are required for the first issue of a certificate.

Any such new certificate shall be in force till the end of the time for which the original certificate was granted (unless it shall have been sooner forfeited or become void) and no longer; and upon the grant of such new certificate the original certificate shall become void.

Provision as to convictions against the principal Act and this Act.

5. The provisions of the seventeenth and nineteenth sections of the principal Act as to convictions shall extend to convictions against the principal Act or this Act.

Provision as to existing licences.

6. The nineteenth section of the principal Act shall extend to licences granted by way of renewal from time to time of licences in force on the first day of May one thousand eight hundred and sixty-nine.

The second and third provisoes of the said nineteenth section of the principal Act shall be read as if production of the certificate and record of convictions on the certificate were therein referred to instead of production of the licence and record of convictions on the licence.

Where a conviction is recorded on a certificate, in pursuance of the principal Act as amended by this Act, the clerk to the convicting justices shall also make and keep a record of such conviction, and of the fact that it has been recorded on the certificate.

Where a conviction of any person has, before the passing of this Act, been recorded on a licence in pursuance of the principal Act, or on a certificate in pursuance of this Act, the justices to whom such person applies for a renewal of his certificate shall cause such conviction to be recorded on the renewed certificate.

Any record of a conviction upon a licence or certificate, and also any copy of a record of a conviction made or kept by a clerk to the convicting justices, if such copy purport to be signed by the clerk by whom the record was made or is kept, shall for all purposes be sufficient evidence of such conviction, and of the fact that it was recorded on the licence or certificate.

Regulation as to closing.

7. Where any person is required by law to close any house or place for the sale or consumption in any manner of any excisable, distilled, or fermented liquor during any days or times, subject in case of default to any penalties, he shall, subject in case of default to the like penalties, close such house or place during the same days or times for the sale or consumption of all other liquors, and of all articles whatsoever.

Avoidance of licences upon refusal to renew certificate.

8. Where renewal of any certificate granted under the principal Act is refused or withheld, any licence held under authority thereof shall thereupon become void to all intents.

Limit of mitigation of penalties.

9. Where any person holding a certificate under the principal Act is convicted of any offence against the said Act or this Act, or against any of the Acts recited in the principal Act, or against the tenor or conditions of any licence held by him under a certificate granted in pursuance of the principal Act, it shall not be lawful for

the justices before whom he is convicted to mitigate or reduce the penalty for such offence to a less sum than *twenty shillings*.

Houses licensed to retail sweets.

10. All the provisions of the Act of the eighteenth and nineteenth of Her Majesty, chapter one hundred and eighteen, for regulating the sale of fermented or distilled liquors on the Lord's Day and for authorizing the entry by constables into houses or places of public resort for the sale of fermented or distilled liquors, shall extend to any house or place in which any person sells sweets by retail under any licence in that behalf, whether the same are sold for consumption on the premises or otherwise.

Visitation of suspected houses.

11. Where an information on oath is made before any justice of the peace that any excisable liquors or sweets are being unlawfully sold or kept for sale at any premises or place for the retail whereat of excisable liquors or sweets no licence is in force, such justice may in his discretion grant a warrant under his hand to any superintendent, inspector, sergeant, or other officer or officers of police, by virtue whereof it shall be lawful for the officer or officers named in the warrant at any time or times within one month from the date thereof to enter, and if need be by force, the premises or place named in the warrant, and every part thereof, and to search for and seize any excisable liquors or sweets there found which there is reasonable ground to suppose are in such premises or place for the purpose of unlawful sale at such or any other premises or place; and if any person, by himself or by any other person acting by or with his direction, permission, or consent, refuse or neglect to admit to any part of any such premises or place any officer or person demanding admittance in pursuance of the provisions of this section, he shall be liable upon summary conviction to a penalty not exceeding *twenty pounds*.

Any liquor seized in pursuance of the provisions of this section shall be sold in such manner as two justices in petty sessions may direct, and the proceeds shall be applied in the same manner as penalties summarily imposed by the same justices for sale without a licence might be applied.

Repeal of 5 G. 4. c. 54. s. 6., 6 G. 4. c. 81. s. 2., and 13 & 14 Vict. c. 67. s. 6., so far as relates to brewers' retail licences.

12. From the *passing of this Act* so much of the Acts of the fifth of George the Fourth, chapter fifty-four, sixth George the Fourth, chapter eighty-one, and thirteenth and fourteenth of Her Majesty, chapter sixty-seven, as authorizes the grant to brewers of beer of brewers' licences to retail beer not to be consumed on the premises where sold, shall be repealed, and no such licence shall be granted after the passing of this Act, whether to a new applicant or by way of renewal: Provided that a person who at the passing

A.D. 1870.

of this Act holds any such licence shall continue to be subject to all the like regulations and conditions, so long as such licence remains in force, and shall be subject to the like penalties for breach of any such regulations and conditions committed while such licence remains in force as if this Act had not been passed.

Duration of the principal Act and of this Act.

13. The principal Act shall be continued and be in force, and this Act shall be in force for *two years* from the date of the passing of this Act, and until the end of the then next session of Parliament.

Wine and Beerhouse Act (1869) Amendment.

A

B I L L

To amend and continue "The Wine and Beerhouse Act, 1869."

(Prepared and brought in by Sir Henry Selwin Ibbetson, Mr. Headlam, and Mr. Akroyd.)

Ordered, by The House of Commons, *to be printed,* 7 *April* 1870.

[Bill 97.]

Under 1 *oz.*

A

B I L L

[AS AMENDED IN COMMITTEE]

TO

Amend and continue "The Wine and Beerhouse Act, 1869." A.D. 1870.

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited as "The Wine and Beerhouse Act Amendment Act, 1870."

Extent of Act.

2. This Act shall not extend to Scotland or Ireland.

Interpretation.

3. In this Act the words "the principal Act" mean the Wine and Beerhouse Act, 1869, and the word "Sweets" includes sweets, made wines, mead, and metheglin.

Provision as to convictions against the principal Act and this Act.

4. The provisions of the seventeenth and nineteenth sections of the principal Act as to convictions shall extend to convictions for offences against the principal Act or this Act: Provided always, that the period of three years shall be substituted for the period of five years named in clause seventeen of the said Act.

Provision as to certain offences.

5. Where by the principal Act, or any other Act or Acts, a person licensed to retail beer, cider, or wine, not to be consumed on the premises, is subject to any penalty or forfeiture for taking, or for authorising or suffering to be taken, any beer, cider, or wine out of such premises for the purpose of being for his benefit or profit drunk or consumed on or in other premises or places with intent to evade the provisions of any Act, or the conditions of his licence, he shall be subject to the like penalties and forfeitures for taking, or authorising or suffering to be taken, any beer, cider, or wine out of his premises for the purpose of being for his benefit or profit drunk or consumed on or in any place, whether enclosed or not, and whether or not a public thoroughfare, with intent to evade the provisions of any such Act or the conditions of his licence.

A.D. 1870.

The fifteenth section of the principal Act shall be read as if after the word "house" there were inserted the words "by any person "other than a servant or inmate of such house."

Any constable or officer of police who finds any person present in a house licensed for the sale of any exciseable or distilled or fermented liquor at a time when such house is by law required to be closed, may demand the name and address of such person; and if any such person when so required refuse to give his name and address, or give a false name or address, he shall be liable on summary conviction to a penalty not exceeding forty shillings; and any person who when so required refuses or neglects to give his name or address, may be apprehended by such constable or officer, and detained until he can be carried before a justice of the peace.

Provision as to existing licences.

6. The nineteenth section of the principal Act shall extend to licences granted by way of renewal from time to time of licences in force on the first day of May one thousand eight hundred and sixty-nine.

The second and third provisoes of the said nineteenth section of the principal Act shall be read as if production of the certificate and record of convictions on the certificate were therein referred to instead of production of the licence and record of convictions on the licence, and as if for the expressions "two justices" and "justices" respectively, there were substituted the words "justice "or justices."

Where a conviction is recorded on a certificate, in pursuance of the principal Act as amended by this Act, the clerk to the convicting justices shall also make and keep a record of such conviction, and of the fact that it has been recorded on the certificate.

Where a conviction of any person has, before the passing of this Act, been recorded on a licence in pursuance of the principal Act, or on a certificate in pursuance of this Act, the justices to whom such person applies for a renewal of his certificate shall cause such conviction to be recorded on the renewed certificate.

Any record of a conviction upon a licence or certificate, and also any copy of a record of a conviction made or kept by a clerk to the convicting justices, if such copy purport to be signed by the clerk by whom the record was made or is kept, shall for all purposes be sufficient evidence of such conviction, and of the fact that it was recorded on the licence or certificate: Provided always, that nothing herein contained shall vary or alter the provisions of the nineteenth section of the principal Act relating to any house or shop licensed on the first day of May one thousand eight hundred and sixty-nine.

A.D. 1870.

Regulation as to closing.

7. Where any person is required by law to close any house or place for the sale or consumption in any manner of any excisable, distilled, or fermented liquor during any days or times, subject in case of default to any penalties, he shall, subject in case of default to the like penalties, close such house or place during the same days or times for the sale or consumption of all other liquors, and of all articles whatsoever, notwithstanding any Act, law, licence, or certificate under authority whereof he might otherwise keep open such house or place for the sale or consumption of any such other liquor or article.

Avoidance of licences upon refusal to renew certificate.

8. Where renewal of any certificate granted under the principal Act is refused, any licence held under authority thereof shall, if the person aggrieved do not give notice of appeal with the requisite security in that behalf within the time limited for such notice, or if such notice having been given the appeal be not prosecuted or be dismissed, become void to all intents from the time of such failure to give notice of or to prosecute the appeal or of such dismissal, as the case may be.

Beer dealer's additional retail licence.

9. A certificate for an additional licence to the holder of a strong beer dealer's licence to retail beer under the provisions of the twenty-sixth and twenty-seventh of Her Majesty, chapter thirty-three, shall not after the passing of this Act, except by way of renewal, be granted unless upon the like proof of qualification according to rating as is required in the case of licences to retail beer for consumption on the premises under the provisions of the Acts recited in the principal Act for permitting the general sale of beer and cider by retail in England.

Power to justices to postpone application.

10. Where any applicant for the grant or renewal of a certificate has, through inadvertence or misadventure, failed to comply with any of the preliminary requirements of the principal Act or this Act, or any Act incorporated therewith, the justices may, if they shall so think fit, postpone the consideration of the application to the adjourned meeting, and, in such case, a compliance with such requirements before such adjourned meeting shall be deemed a sufficient compliance to all intents and purposes.

Limit of mitigation of penalties.

11. Where any person holding a certificate under the principal Act is convicted of any offence against the said Act or this Act, or against any of the Acts recited or mentioned in the principal Act, or against the tenor or conditions of any licence held by him under a certificate granted in pursuance of the principal Act, it shall not be lawful for the justices before whom he is convicted to mitigate

A.D. 1870.

or reduce the penalty for such offence to a less sum than twenty shillings: Provided that nothing herein contained shall extend to authorise the mitigation or reduction of any penalty, whether of excise or police, to a less sum than the minimum to which the same may, under the provisions of any other Acts, be mitigated or reduced.

Houses licensed to retail sweets.

12. All the provisions of the Act of the eighteenth and nineteenth of Her Majesty, chapter one hundred and eighteen, for authorising the entry by constables into houses or places of public resort for the sale of fermented or distilled liquors, shall extend to authorise such entry on all days and at any time into any house or place in which any person sells sweets by retail under any licence in that behalf, whether the same are sold for consumption on the premises or otherwise.

Visitation of suspected houses.

13. Where an information on oath is made before any justice of the peace that there is reasonable ground for believing that any exciseable liquors or sweets are being unlawfully sold or kept for sale at any premises or place for the retail whereat of exciseable liquors or sweets no licence is in force, such justice may in his discretion grant a warrant under his hand to any superintendent, inspector, sergeant, or other officer or officers of police, by virtue whereof it shall be lawful for the officer or officers named in the warrant at any time or times within one month from the date thereof to enter, and if need be by force, the premises or place named in the warrant, and every part thereof, and to search for and seize any exciseable liquors or sweets there found which there is reasonable ground to suppose are in such premises or place for the purpose of unlawful sale at such or any other premises or place; and if any person, by himself or by any other person acting by or with his direction, permission, or consent, refuse or neglect to admit to any part of any such premises or place any officer or person demanding admittance in pursuance of the provisions of this section, he shall be liable upon summary conviction to a penalty not exceeding twenty pounds.

Any liquor seized in pursuance of the provisions of this section shall be sold in such manner as two justices in petty sessions may direct, and the proceeds shall be applied in the same manner as penalties summarily imposed by the same justices for sale without a licence might be applied.

Repeal of 5 G. 4. c. 54. s. 6., 6 G. 4. c. 81. s. 2., and

14. From the passing of this Act so much of the Acts of the fifth of George the Fourth, chapter fifty-four, sixth George the Fourth, chapter eighty-one, and thirteenth and fourteenth of Her

A.D. 1870.

Majesty, chapter sixty-seven, as authorises the grant to brewers of beer of brewers' licences to retail beer not to be consumed on the premises where sold, shall be repealed, and no such licence shall be granted after the passing of this Act, whether to a new applicant or by way of renewal: Provided that a person who at the passing of this Act holds any such licence shall continue to be subject to all the like regulations and conditions, so long as such licence remains in force, and shall be subject to the like penalties for breach of any such regulations and conditions committed while such licence remains in force as if this Act had not been passed.

13 & 14 Vict. c. 67. s. 6., so far as relates to brewers' retail licences.

15. The principal Act shall be continued and be in force, and this Act shall be in force for two years from the date of the passing of this Act, and until the end of the then next session of Parliament.

Duration of the principal Act and of this Act.

Wine and Beerhouse Act (1869) Amendment.

A

B I L L

[AS AMENDED IN COMMITTEE]

To amend and continue "The Wine and Beerhouse Act, 1869."

(*Prepared and brought in by Sir Henry Selwin Ibbetson, Mr. Headlam, and Mr. Akroyd.*)

Ordered, by The House of Commons, *to be printed,* 10 *May* 1870.

[Bill 124.]

Under 1 *oz.*

A

B I L L

TO

Remove the Electoral Disabilities of Women. A.D. 1870.

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

In Acts relating to qualification and voting of parliamentary electors, masculine gender to include females.

1. That in all Acts relating to the qualification and registration of voters or persons entitled or claiming to be registered and to vote in the election of Members of Parliament, wherever words occur which import the masculine gender, the same shall be held to include females for all purposes connected with and having reference to the right to be registered as voters, and to vote in such election, any law or usage to the contrary notwithstanding.

A

B I L L

To remove the Electoral Disabilities of Women.

(*Prepared and brought in by Mr. Jacob Bright, Sir Charles Dilke, and Mr. Eastwich.*)

Ordered, by The House of Commons, *to be Printed,* 16 *February* 1870.

[Bill 31.]

Under 1 *oz.*

1979 1